

# MANISTEE CITY PLANNING COMMISSION

70 Maple Street  
P.O. Box 358  
Manistee, Michigan 49660

MEETING OF AUGUST 7, 1997

There will be a meeting of the Manistee City Planning Commission to be held on Thursday, August 7, 1997 at 7:00 P.M. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

## AGENDA

- I. Roll Call
- II. Matters Pertaining to the General Citizenry:
  - A. Public Hearing:
    - 1. Zoning Amendment - Residential C-3/Special Use Permit - Fred MacDonald
    - 2. Zoning Amendment - Street Vacation - Ace Hardware
    - 3. Special Use Permit - Laura Horvat- Sign
    - 4.
  - B. Site Plan Reviews:
    - 1. Oak Grove International, Inc.
    - 2. Gary Schrader - Lot Split
    - 3. Russell & Ruth Claggett/Michael & Deborah Majchrzak - Lot Split
    - 4.
  - C. Questions, Concerns and Consideration of Matters Pertaining to Citizens in Attendance:
    - 1.
    - 2.
- III. Business Session:
  - A. Approval of Minutes from Last Meeting (7/997)
  - B. Unfinished Business:
    - 1. Solberg Marina Inc. - Special Use Permit
    - 2.
  - C. Other Communications:
    - 1. City Update
    - 2. C-I Commercial, Access Road
  - D. Reports:
    - 1. D.D.A. Update
    - 2. Zoning Board of Appeals
    - 3. Site Plan Review/Historic Overlay Committees
    - 4. Joint City Review/Ordinance Committee
  - E. New Business:
    - 1. Zoning Amendment - Residential C-3/Special Use Permit - Fred MacDonald
    - 2. Zoning Amendment - Street Vacation - Ace Hardware
    - 3. Special Use Permit - Laura Horvat- Sign
    - 4.
- IV. Work/Study Session:
- V. Adjournment

cc: Planning Commission Members  
City Council  
R. Ben Bifoss, City Manager  
Jon Rose, Community Development Officer  
Lori Donnan, Administrative Assistant  
Kurt Schindler, County Planner  
Manistee News Advocate  
Manistee Observer  
WMTE Radio  
WXYQ Radio  
Jeff Mikula, Abonmarche  
Julie Beardslee, Assessor




# CITY OF MANISTEE

## MEMORANDUM

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TO: Planning Commission Members

FROM: Denise Mikula 

DATE: August 1, 1997

RE: August 7, 1997 Planning Commission Meeting

Enclosed is the Agenda for the August 7, 1997 Planning Commission Meeting and attachments. We have the following Public Hearings on the Agenda.

1. Zoning Amendment and Special Use Permit request from Fred MacDonald. This is the former Voyagers Cove property located on Arthur Street.
2. Request from Ace Hardware for a Zoning Change and Street Vacation. The building that Ace Hardware is located in is in Filer Township. The property in question is located behind their building, is vacant and is in the City Limits.
3. A request for a Special Use Permit for a billboard from Laura Horvat - Super 8 Motel. The billboard would be constructed on the hill behind the Super 8 Motel.

We have received a request for site plan approval for an addition to Oak Grove International, 290 Washington Street. Jon has been on vacation this week, site plan review will be done when he returns.

You were all sent a letter from R. Ben Bifoss, City Manager regarding Section 5004 of the Zoning Ordinance that deals with regulations and standards in the C-1 Commercial District and Access Roads. This item is on the agenda and we will be discussing it at the meeting.

Solberg Marina Inc. requested a Special Use Permit to allow campers on the Fisherman's Center Property. This item was tabled till the August Meeting we will need to follow up on this request.

If you have any questions or are unable to attend the meeting, please call me at 723-2558. We will see you at the meeting.

:djm



# CITY OF MANISTEE

Michigan

8-7-97  
COUNCIL GOVERNMENT  
CITY MANAGER PLAN  
P.O. BOX 358  
MANISTEE, MICHIGAN 49660

## PETITION FOR ZONING AMENDMENT

TO: MANISTEE CITY COUNCIL  
MANISTEE CITY PLANNING COMMISSION

BY: FRED MACDONALD  
NAME OF PETITIONER  
180 HARRISON  
ADDRESS OF PETITIONER  
MANISTEE, MICH. 49660  
CITY, STATE, ZIP CODE  
(H) 723-7975 (W) 723-7718  
TELEPHONE NUMBERS - HOME & WORK

### FOR OFFICE USE ONLY

CASE NO. \_\_\_\_\_  
DATE RECEIVED 7-23-97  
TAX PARCEL NO. 51-51-01-275-10  
FEE RECEIVED (AMOUNT & DATE) 200.00 7-21-97  
RECEIPT NO. #11735  
HEARING DATE 8.7.97  
PLANNING COMMISSION ACTION AND DATE \_\_\_\_\_  
CITY COUNCIL ACTION \_\_\_\_\_  
DATE \_\_\_\_\_

PLEASE NOTE: ALL QUESTIONS MUST BE ANSWERED COMPLETELY. IF ADDITIONAL SPACE IS NEEDED, NUMBER AND ATTACH ADDITIONAL SHEETS.

### I. ACTION REQUESTED

I (WE), THE UNDERSIGNED TO HEREBY REQUEST THAT THE CITY OF MANISTEE APPROVE THE FOLLOWING PETITION FOR ZONING AMENDMENT:

- (A) TEXT AMENDMENT: AMEND ARTICLE 55 SECTION 5503 TO ~~DELETE~~ SUPPLEMENT OR ~~CHANGE~~ THE MANISTEE CITY ZONING ORDINANCE BY MAKING THE FOLLOWING CHANGE(S):  
(ATTACH ADDITIONAL SHEETS IF NECESSARY - STATE PROPOSED ORDINANCE LANGUAGE)  
ADD R-5 RESIDENTIAL AS A SPECIAL USE ALLOWED IN THE  
C-3 ZONING DISTRICT. FOR THE PARCEL KNOWN AS 45  
ARTHUR STREET, (LEGAL ATTACHED) ALLOW A 10 FOOT SETBACK  
FROM THE WATERS EDGE OF MANISTEE LAKE.

X REZONE FROM \_\_\_\_\_ TO \_\_\_\_\_ THE PROPERTY(S) DESCRIBED IN "PROPERTY INFORMATION" (BELOW), FOR THE FOLLOWING PURPOSE: (STATE PROPOSED USE OF THE LAND) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A PREVIOUS APPLICATION FOR A VARIANCE, SPECIAL USE PERMIT OR REZONING ON THIS LAND (HAS / HAS NOT) BEEN MADE WITH RESPECT TO THESE PREMISES IN THE LAST \_\_\_\_\_ YEARS. IF A PREVIOUS APPEAL, REZONING OR SPECIAL USE PERMIT WAS MADE, STATE THE DATE, NATURE OF ACTION REQUESTED AND THE DECISION: (DATE) \_\_\_\_\_  
(ACTION REQUESTED) \_\_\_\_\_  
(DECISION) ☐ APPROVED ☐ DENIED

(CONTINUED)



II. PROPERTY INFORMATION

- A. LEGAL DESCRIPTION OF PROPERTY(S) PROPOSED TO BE REZONED: (SEE ATTACHED)
- TAX ROLL PARCEL DATE PROCESS NUMBER: 51-51-101-275-10
- ADDRESS OF PROPERTY: 45 ARTHUR STREET, MANISTEE, MICH. 49660
- B. LIST ALL DEED RESTRICTIONS (ATTACH ADDITIONAL SHEETS IF NECESSARY) NONE KNOWN
- C. NAMES AND ADDRESSES OF ALL OTHER PERSONS, FIRMS OR CORPORATIONS HAVING A LEGAL OR EQUITABLE INTEREST IN THE LAND.  
MRS FRED WILSON - 180 HARRISON, MANISTEE, MI 49660  
MS LINDA BOSS - 180 HARRISON, MANISTEE, MI 49660  
DENNIS & LINDA DUNLAP - 406 N. LAVINIA LUDINGTON MI 49831
- D. THIS AREA IS ☒ UNPLATTED, ☐ PLATTED, ☐ WILL BE PLATTED.  
 IF PLATTED, NAME OF PLAT \_\_\_\_\_
- E. ATTACH A SITE PLAN DRAWN TO THE SCALE OF ONE (1) INCH EQUALS TEN (10) FEET, SHOWING ALL EXISTING STRUCTURES ON THE PROPERTY, ALL PROPOSED STRUCTURES AND MARKING THOSE STRUCTURES THAT WILL BE REMOVED OR RAZED. ALSO, THE GENERAL SHAPE, SIZE AND LOCATION OF ALL EXISTING STRUCTURES WITHIN 100 FEET OF THE PROPERTY ALONG WITH THEIR USES SHALL BE DEPICTED ON THE SITE PLAN, ALONG WITH ALL ADJUTING ROADS, STREETS, ALLEYS OR EASEMENTS.
- F. PRESENT USE OF THE PROPERTY IS: ABANDONED MARINA, RETAIL SALES BUILDING

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION

- (A.) STATE SPECIFICALLY THE REASON FOR THIS AMENDMENT REQUEST AT THIS TIME (SEE ATTACHED)

- ☒ IF THE AMENDMENT IS A PROPOSED REZONING, PLEASE ANSWER THE FOLLOWING QUESTIONS:
1. WILL THIS REZONING BE IN CONFORMANCE WITH ALL ADOPTED DEVELOPMENT PLANS OF THE CITY OF MANISTEE? ☐ YES ☐ NO AND MANISTEE COUNTY? ☐ YES ☐ NO
  2. IF THE PROPOSED ZONE DOES NOT CONFORM TO THE(SE) PLAN(S), WHY SHOULD THE CHANGE BE MADE? PLEASE BE SPECIFIC, BRIEF AND ATTACH ANY SUPPORTING DOCUMENTATION WHICH SUBSTANTIATES YOUR CLAIM. THIS COULD INCLUDE AN ALLEGATION THAT THE EXISTING ZONING IS IN ERROR WHICH WOULD BE CORRECTED BY THE PROPOSED CHANGE, OR THAT SPECIFIC CHANGES OR CHANGING CONDITIONS IN THE IMMEDIATE AREA MAKE THE REZONING NECESSARY TO PROMOTION OF PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

N/A DO NOT PROPOSE REZONING, BUT REQUEST ADDING R-S AS A SPECIAL USE TO EXISTING SPECIAL USES LISTED UNDER C-3 ZONING.

3. WHAT DO YOU ANTICIPATE THE IMPACTS OF THE PROPOSED ZONE CHANGE ON THE ADJACENT PROPERTY TO BE? WHAT STEPS DO YOU PROPOSE TO TAKE TO MITIGATE ANY NEGATIVE IMPACTS ASSOCIATED WITH THE PROPOSED CHANGE?  
NONE - PROPERTY TO SOUTH IS CITY OWNED BOAT LAUNCH



3. (CONTINUED) TO NORTH IS MOON LIGHT MARINA & MOTEL

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IV. AFFIDAVIT

THE UNDERSIGNED AFFIRMS THAT HE/SHE OR THEY IS (ARE) THE (OWNER, LESSEE, AUTHORIZED AGENT OF OWNER) INVOLVED IN THE PETITION AND THAT THE ANSWERS AND STATEMENTS HEREIN CONTAINED AND THE INFORMATION HERewith SUBMITTED ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF HIS, HER OR THEIR KNOWLEDGE AND BELIEF.

DATE 20 JULY 97

SIGNATURE(S)

*[Signature]*  
 FILED MACDONALD  
*Carol MacDonnell*  
 CAROL MACDONNELL  
*Linda J. Bass*  
 LINDA BOSS  
*Dennis W. Dunlap*  
 DENNIS DUNLAP  
*Linda J. Dunlap*  
 LINDA DUNLAP



# LINDEN COURT

DEVELOPMENT COMPANY INC.

### III. Statement of justification for requested action

The request to allow R-5 residential in the C-3 zoning (as a special use) would allow the development of this parcel to occur and may encourage other lake front parcels to develop.

The proposed project would consist of residential condominiums type units, that contain living spaces of 1000 square feet on the lower level and 1400 square feet on the upper level. All units would have attached garages. It is anticipated that 22 units could be developed on this parcel in conjunction with marina slips (belonging to the home owner) in front of the buildings.

City of Manistee and other utilities are in place to support this type of development. The parcel offers easy access to US-31 and a wonderful view of Manistee Lake. However, the parcel is narrow and therein contains the request for a ten (10) foot setback from Manistee Lake for this parcel.





# CITY OF MANISTEE

*Michigan*

COUNCIL GOVERNMENT  
CITY MANAGER PLAN  
P.O. BOX 358  
MANISTEE, MICHIGAN 49860

## APPLICATION for SPECIAL USE PERMIT

FILED W/ ZONING  
APPLICANT  
180 HARRISON  
ADDRESS  
MANISTEE, MI 49660  
CITY, STATE & ZIP CODE  
TELEPHONE NUMBERS - (HOME) \_\_\_\_\_  
(WORK) \_\_\_\_\_

FOR OFFICE USE ONLY	
PERMIT NUMBER	
DATE RECEIVED	<u>7-23-97</u>
TAX PARCEL NUMBER	<u>51-51-101-275-0</u>
FEE RECEIVED & DATE	<u>W/ Zoning Amendment</u>
RECEIPT NUMBER	<u>11735</u>
ACTION	
REFERRED TO PLANNING COMMISSION _____	
DATE OF PUBLIC HEARING _____	
ACTION TAKEN <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	
DATE OF ACTION _____	
EXPIRATION DATE OF PERMIT _____	

**PLEASE NOTE:** ALL QUESTIONS MUST BE ANSWERED COMPLETELY. IF ADDITIONAL SPACE IS NEEDED, NUMBER AND ATTACH ADDITIONAL SHEETS. ALL INFORMATION REQUESTED ON THIS FORM MUST BE COMPLETED AND ANY ADDITIONAL INFORMATION REQUIRED BY THE ZONING ADMINISTRATOR, CITY ENGINEER OR CITY PLANNING COMMISSION. IN ORDER TO ADMINISTER THE ZONING & BUILDING ORDINANCES, MUST BE SUPPLIED. APPLICANTS ARE ENCOURAGED TO SEEK ASSISTANT FROM THE ZONING ADMINISTRATOR/BUILDING INSPECTOR IN FILLIN OUT THIS FORM. IF POSSIBLE, PLEASE CALL 616-723-2558 (MONDAY THROUGH FRIDAY, FROM 8 A.M. TO 5 P.M.) AND ASK FOR THE ASSESSOR'S OFFICE TO MAKE AN APPOINTMENT TO AVOID DELAYS.

### I. ACTION REQUESTED

IT IS HEREBY REQUESTED THAT THE MANISTEE CITY PLANNING COMMISSION APPROVE THE ISSUANCE OF A SPECIAL USE PERMIT ON THE PROPERTY DESCRIBED IN "I" PROPERTY INFORMATION (BELOW) WHICH IS LOCATED IN THE C-3 ZONING DISTRICT, FOR THE PURPOSE OF: (STATE PROPOSED USE OF PROPERTY) CONSTRUCTING A MIXED USE DEVELOPMENT CONSISTING OF RESIDENTIAL & MARINA CONDOMINIUMS.

A PREVIOUS APPLICATION FOR A VARIANCE, SPECIAL USE PERMIT OR REZONING ON THIS LAND (HAS / HAS NOT) BEEN MADE WITH RESPECT TO THESE PREMISES IN THE LAST \_\_\_\_\_ YEARS. IF A PREVIOUS APPEAL, REZONING, OR SPECIAL USE PERMIT APPLICATION HAS BEEN MADE, STATE THE DATE, NATURE OF ACTION REQUESTED AND THE DECISION: \_\_\_\_\_, DATE \_\_\_\_\_, ACTION REQUESTED \_\_\_\_\_, DECISION: ☐ APPROVED ☐ DENIED

### II. PROPERTY INFORMATION

A. LEGAL DESCRIPTION OF PROPERTY AFFECTED, ATTACHED

TAX ROLL PARCEL PROCESS NUMBER \_\_\_\_\_

ADDRESS OF PROPERTY: 45 ARTHUR STREET (US 31)

(CONTINUED)

MANISTEE CITY PLANNING COMMISSION/DRJ-1998

## APPLICATION for SPECIAL USE PERMIT



SPECIAL USE PERMIT APPLICATION  
PAGE 2II. PROPERTY INFORMATION (CONTINUED)

B. LIST ALL DEED RESTRICTIONS. CITE LIBER &amp; PAGE WHERE FOUND &amp; ATTACH:

NONE KNOWN

C. NAMES &amp; ADDRESSES OF ALL OTHER PERSONS, FIRMS OR CORPORATIONS HAVING A LEGAL OR EQUITABLE INTEREST IN THE LAND:

CAROL MACDONALD 180 HARRISON, MANISTEE MI 49660LINDA BOSS 180 HARRISON, MANISTEE MI 49660DENNIS & LINDA DUNLAP - 406 N. LAVINIA, LUDINGTON, MI 49431D. THIS AREA IS ☒ UNPLATTED, ☐ PLATTED, ☐ WILL BE PLATTED  
IF PLATTED, NAME OF PLATE. THE PRESENT USE OF THE PROPERTY IS ABANDONED MARINA & RETAIL STORE

F. ATTACH A SITE PLAN WHICH MEETS THE REQUIREMENTS OF THE SPECIAL USE PERMIT ORDINANCE (SEE ATTACHED LIST OF REQUIREMENTS)

G. IS A PROPERTY SURVEY ATTACHED? ☒ YES ☐ NOH. ESTIMATED COMPLETION DATE OF CONSTRUCTION (IF APPLICABLE): CONSTRUCTION  
WILL BEGIN MAR-1998, BE COMPLETED BY 2001III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION

A. STATE SPECIFICALLY THE REASON FOR THIS SPECIAL USE PERMIT REQUEST AT THIS TIME

(SEE ATTACHED)B. STATEMENT OF SUPPORT FOR THE REQUEST. PLEASE JUSTIFY YOUR REQUEST FOR A SPECIAL USE PERMIT BELOW. THE JUSTIFICATION SHOULD ADDRESS THE FOLLOWING CONCERNS:  
(ATTACH ADDITIONAL SHEETS)

1. THE RELATIONSHIP OF THE SPECIAL USE PERMIT CONDITIONS (ARTICLE 86, SECTION 8609) TO THE PARTICULAR SPECIAL USE PROPOSED. DO THEY POSE ANY UNUSUAL PROBLEMS FOR COMPLIANCE?
2. RELATIONSHIP OF THE PROPOSED USE TO DEVELOPMENT PLANS OF MANISTEE COUNTY AND THE CITY OF MANISTEE.
3. IMPACTS OF THE ADJACENT PROPERTY AND NEIGHBORHOOD. IN PARTICULAR, FIRST INDICATE WHICH IMPACTS OF THE PROPOSED USE ON THE ADJACENT PROPERTY ARE ANTICIPATED AND SECOND, WHAT STEPS WILL BE TAKEN TO MITIGATE ANY NEGATIVE IMPACTS. CONSIDER THE FOLLOWING CONCERNS:
  - A. WILL THE PROPOSED USE ADVERSELY AFFECT THE HEALTH, SAFETY OR ENJOYMENT OF PROPERTY OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD?
  - B. WILL PROPOSED USE BE DETRIMENTAL TO THE PUBLIC WELFARE OR INJURIOUS TO PROPERTY OF IMPROVEMENTS IN THE NEIGHBORHOOD?

IV. INFORMATION REQUIRED IN APPLICATION (AS PER ARTICLE 86, SECTION 8604)

A. AN APPLICATION FOR SPECIAL USE PERMIT SHALL INCLUDE:

1. A DETAILED SITE PLAN, AS SPELLED OUT IN SECTION 8406 OF THIS ORDINANCE, A COPY OF WHICH IS ATTACHED.
2. A SPECIFIC STATEMENT AND SUPPORTING INFORMATION REGARDING THE REQUIRED FINDINGS FOR THE SPECIAL USE PERMIT, AS STATED IN SECTION 8609.
3. PROPOSED LOCATION OF ANY OPEN SPACES, LANDSCAPING AND BUFFERING FEATURES SUCH AS GREENBELTS, FENCES, ETC.



SPECIAL USE PERMIT APPLICATION  
PAGE 3IV. INFORMATION REQUIRED IN APPLICATION (CONTINUED)

B. IN ADDITION, THE APPLICANT MAY BE REQUIRED TO FURNISH:

1. ELEVATIONS ON ALL BUILDINGS, INCLUDING ACCESSORY BUILDINGS.
2. AN ENVIRONMENTAL ASSESSMENT.
3. EVIDENCE OF HAVING RECEIVED OR HAVING AN AGREEMENT FOR CONCURRENT APPROVAL FOR ANY OTHER NECESSARY PERMITS REQUIRED PRIOR TO A CONSTRUCTION CODE PERMIT.
4. MEASURES WHICH WILL BE UNDERTAKEN TO CONTROL SOIL EROSION, SHORELINE PROTECTION, EXCESSIVE NOISE, OR ADVERSE IMPACTS OF THE DEVELOPMENT ON THE SURROUNDING PROPERTIES.

C. THE APPLICANT SHALL CERTIFY THE INFORMATION INCLUDED IS CORRECT AND THAT MEASURES PROPOSED TO MITIGATE ADVERSE IMPACTS WILL BE COMPLETED IN A TIMELY FASHION, IF THE SPECIAL USE PERMIT IS APPROVED.

V. CERTIFICATION AND AFFIDAVIT

THE UNDERSIGNED AFFIRMS THAT HE/SHE/they IS/ARE THE ☐ OWNER, ☒ LESSEE, ☒ OWNER'S REPRESENTATIVE, ☐ CONTRACTOR INVOLVED IN THE APPLICATION; AND THAT THE INFORMATION INCLUDED IN THIS APPLICATION IS CORRECT. FURTHER, IF THE REQUEST IS APPROVED, THE APPLICANT CERTIFIES THAT MEASURES PROPOSED TO MITIGATE ADVERSE IMPACTS WILL BE COMPLETED IN A TIMELY FASHION AND WILL ABIDE WITH THE ALL OF THE REQUIREMENTS OF ARTICLE 86 OF THE CITY OF MANISTEE ZONING ORDINANCE.

SIGNATURE(S) OF APPLICANT(S) \_\_\_\_\_

DATED

7/21/97

DENNIS DUNKAP

LINDA DUNKAP

Post-it® Fax Note	7671	Date	7/21/97	# of pages	3
To	Dennis Dunkap				
Co./Dept.	From Jon Rose				
Phone #	Co.				
Fax #	Phone #				
	Fax #				



- III. A. The property is currently zoned C-3 which does not include residential as a permitted or special use. A marina is allowed as a special use. It is proposed to construct a residential condominium project which would include ownership of a dock slip. Because the parcel is narrow it is proposed to set back the residential structures a distance of 10' from the water's edge of Manistee Lake.
- III. B. Statement of support for the request:
1. Based on a review of the zoning ordinance and comparison to the proposed land use, there does not appear to be any unusual problems for compliance.
  2. The development of this parcel has been anticipated to be "commercial". The proposed use would be residential condominiums that include a boat slip with residential ownership.
  3. It is believed that no impacts will be placed on either adjacent properties. To the south is the City of Manistee boat launch facility and to the north is the Moon Lite Motel campground/marina. The proposed project would construct new boat slips that would be consistent with the water use on on both sides of the property. Currently an abandoned set of boat slips exists on the property to support 35 slips.  
It is believed that the proposed use will not adversely affect the health, safety or enjoyment of property or persons residing or working in the neighborhood. The proposed use will not be detrimental to the public welfare or injurious to property or improvements to the neighborhood. Sewer and water will be by the City of Manistee utilities, which have the capacity to serve the development. Solid waste would be handled by existing companies presently in business. Traffic volumes are not expected to increase over other uses that have occupied the site. The site most recently supported 35 boat slips, 8 camp sites and retail stores.

- IV. A.
1. Site plan (enclosed)



2. a. The proposed usage of this parcel is reasonable and through municipal sewer, water and storm sewer will protect the health, safety and welfare of the community. In conjunction with the development of the site a new steel seawall would be constructed that would eliminate the existing erosion currently taking place along the shoreline thereby protecting water quality.
- b. The proposed usage would be consistent with density allowed within R-5 residential. A 10 foot set back is requested from the water's edge of Manistee Lake.
- c. The proposed usage is consistent with the water usage of the parcel to the north. The proposed residential units would not adversely affect either the municipal boat launch or the campground/marina motel usage to the north.
- d. The proposed use would be more than adequately served by City of Manistee public water and sewer system. Storm drainage facilities, which already exist (from US 31) would be utilized to drain the site.
- e. It is believed that the proposed use can comply with the regulations of the City of Manistee Zoning Ordinance.
- f. The proposed use complies with Section 1001 and does not match any of the Special Uses specifically listed in Section 1601 within the Manistee Zoning Ordinance.

- IV. B.
  1. Elevations of proposed building are enclosed.
  2. An environmental assessment has not been performed. FMB bank had a UST removed by a qualified contractor and tests were taken of the soils around the tank. All results indicated that the tank had not leaked. Fill that was placed (as determined by 12 borings on the site) was clean beach sand. It is not anticipated that there are other environmental concerns on this property.
  3. Attached are copies of permits applied for to refurbish the marina which will also protect the lake from sediment currently entering the waterway.
  4. (See 3 above).



EXHIBIT A

STATE OF MICHIGAN, COUNTY OF MANISTEE, CITY OF MANISTEE

DESCRIPTION PROVIDED:

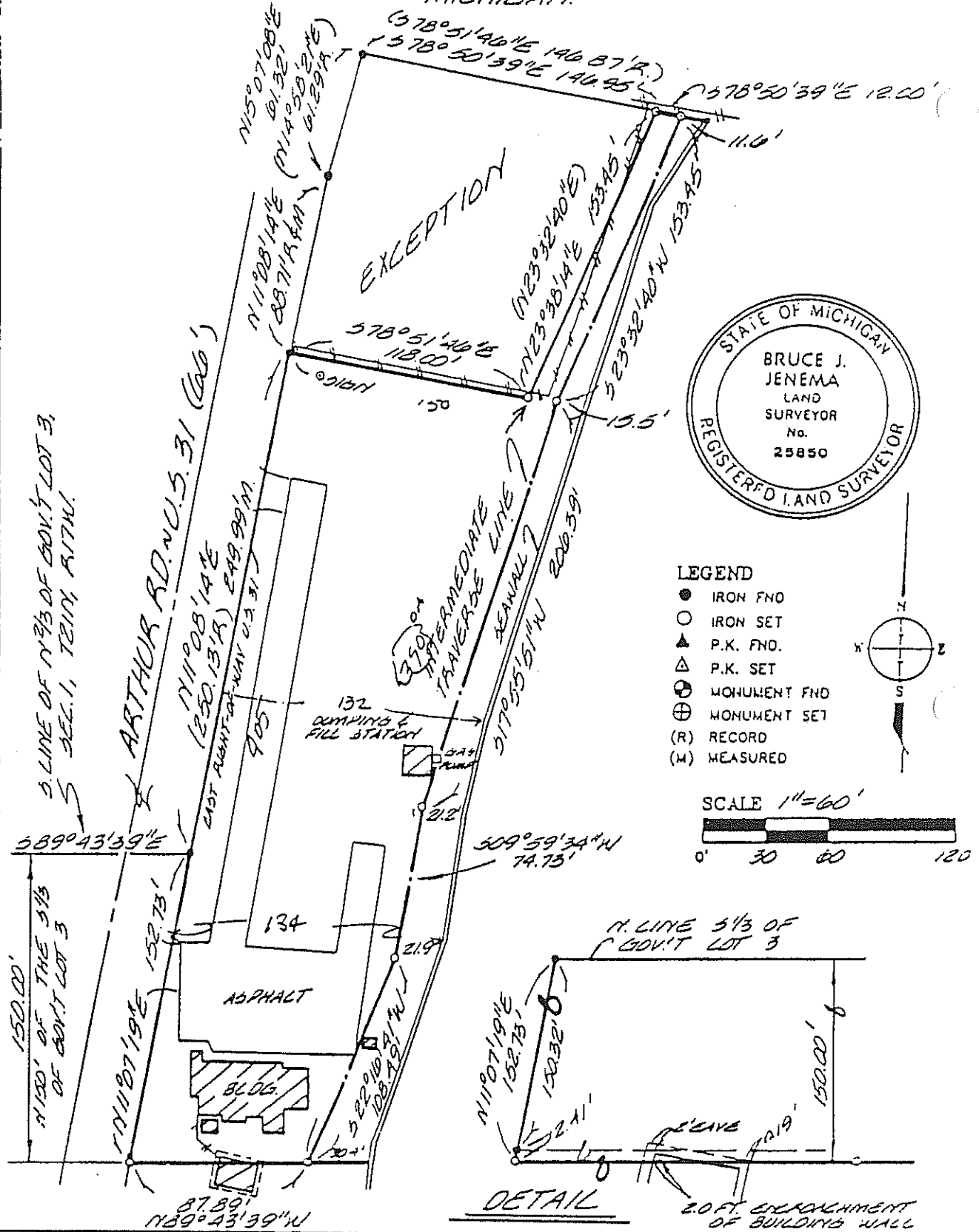
The North 150 feet of the South 1/3 of Government Lot Three (3) and the South 25 feet of the North 2/3 of said Government Lot Three (3) East of Arthur Street AND Part of Government Lot Three (3), commencing at the intersection of Arthur Street and the South line of the North 2/3 of Government Lot Three (3), Northeasterly along the East line of Street 400 feet; thence Easterly at right angle to Street to Lake; thence Southerly along Lake to South line of North 2/3 of Government Lot Three (3); thence West to point of beginning, EXCEPT the South 25 feet thereof, also EXCEPT part of Government Lot Three (3), commencing at a point where the East line of Arthur Street intersects South line of North 2/3 of said Government Lot; thence North 11°08'14" East 250.13 feet for point of beginning; thence North 11°08'14" East 88.71 feet; thence North 14°58'21" East 61.29 feet; thence South 78°51'46" East 146.87 feet; thence South 23°32'40" West 153.45 feet; thence North 78°51'46" West 118 feet to point of beginning, Section One (1), Township 21 North, Range 17 West.

ALSO DESCRIBED AND SURVEYED AS FOLLOWS:

Part of Government Lot Three (3), Section One (1), Township 21 North, Range 17 West, Unplatted City of Manistee, Manistee County, Michigan. Described as follows: Commencing at the intersection of the South line of the North 2/3 of said Government Lot Three (3) and the East right-of-way of Arthur Street; thence North 11°08'14" East 249.99 feet (also recorded as 250.13 feet); thence South 78°51'46" East 118.00 feet; thence North 23°38'14" East 153.45 feet (also recorded as North 23°32'40" East); thence South 78°50'39" East 12.00 feet to a point along an intermediate traverse line along the shore of Manistee Lake; thence along said intermediate traverse line the following four courses: South 23°32'40" West 153.45 feet; thence South 17°55'51" West 106.39 feet; thence South 09°59'34" West 74.73 feet; thence South 22°16'41" West 108.49 feet to the South line of the North 150 feet of the South 1/3 of said Government Lot Three (3); thence North 89°43'39" West 87.89 feet to the Easterly right-of-way of Arthur Street; thence North 11°07'19" East 152.73 feet to the point of beginning. Together with beach adjacent and all riparian rights to Manistee Lake. Containing 1.03 acres of land more or less to the intermediate traverse line along Manistee Lake.



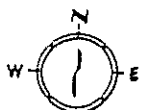
PART OF GOV'T LOT 3, SECTION 1, T21N, R17W,  
UNPLATTED CITY OF MANISTEE, MANISTEE CO.,  
MICHIGAN.



I, the undersigned, being a Registered Land Surveyor, hereby certify that I have surveyed and mapped the above parcel of land, that the ratio of closure of the adjusted field observations is noted, and within limits and that I have fully complied with the regulations of Act 132, P.A. 1970 as amended. The basis for bearings is:

Error of Closure is 1"

*Bruce J. Jenema* R.L.S. No. 25850



Jenema Land Surveys

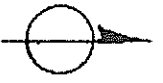
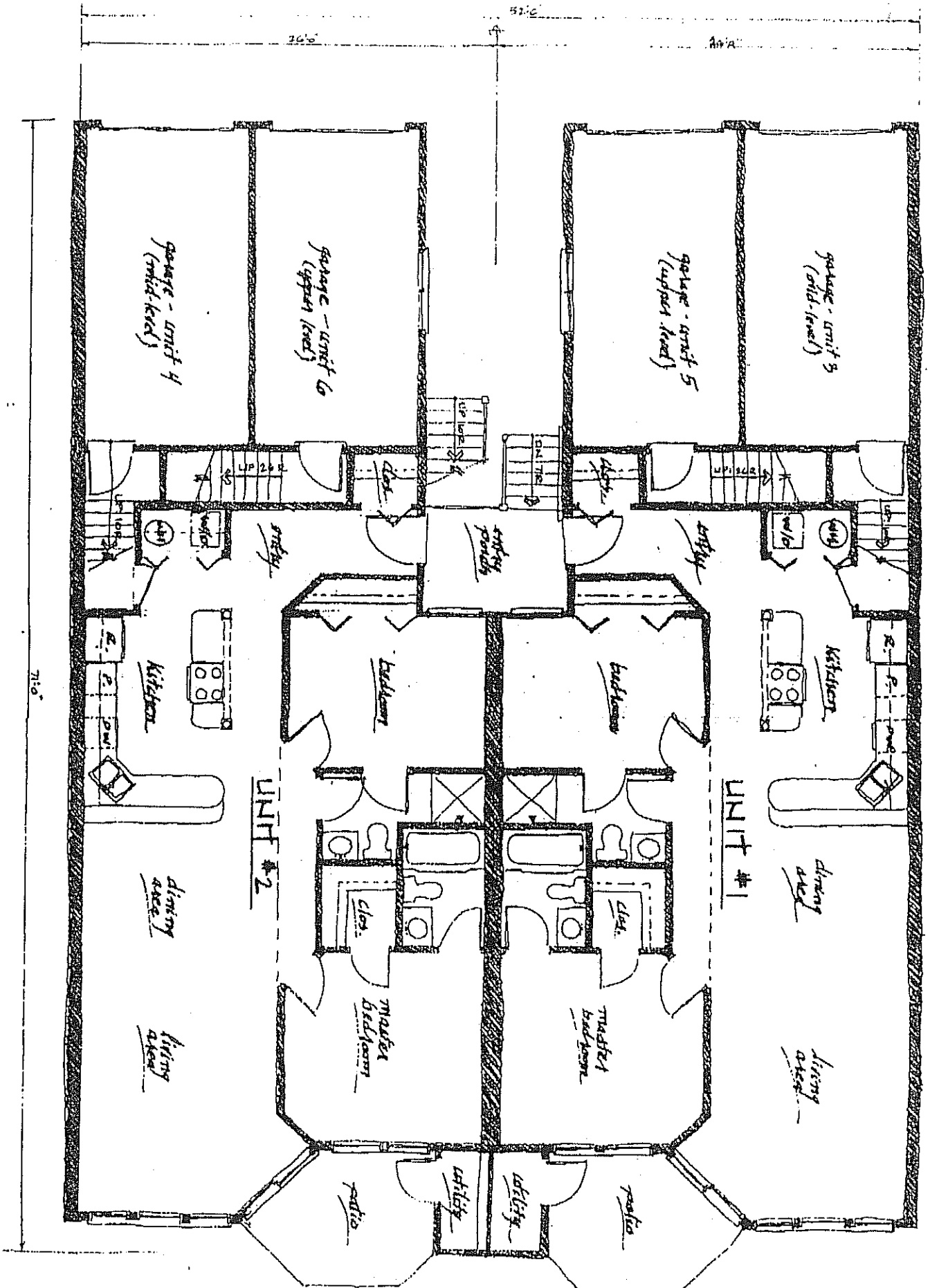
50 Clay Street  
Manistee, MI 49860

Survey for: FMB SECURITY BANK

File No. 93037

Sheet 1 of 2





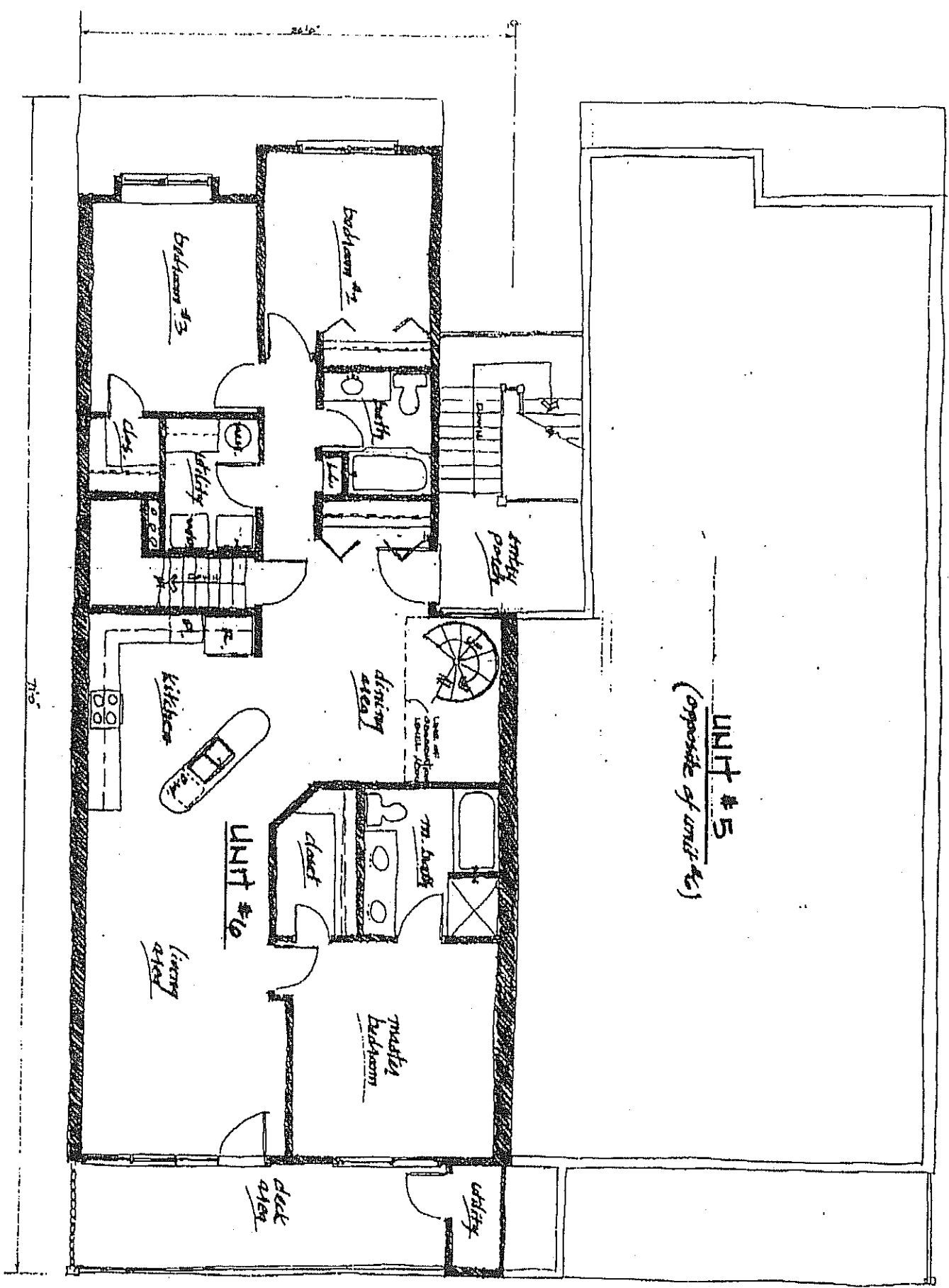
conceptual design  
LOWER LEVEL UNITS #1 AND 2

Scale: 1/4" = 1'-0"

Unit #1

W. Thompson Associates, P.C., Washington, DC





UNIT #5  
(opposite of unit #6)

UNIT #6

Bedroom #3

Bedroom #2

dining area

kitchen

living area

master bedroom

deck area

utility

entry porch

bath

clo.

utility

m. bath

closet



conceptual design  
**UPPER LEVEL UNITS #5 AND 6**  
DATE: 11-1-76  
JULY 1977  
K. MONTGOMERY ARCHITECTS, INC. - HARTFORD, CT



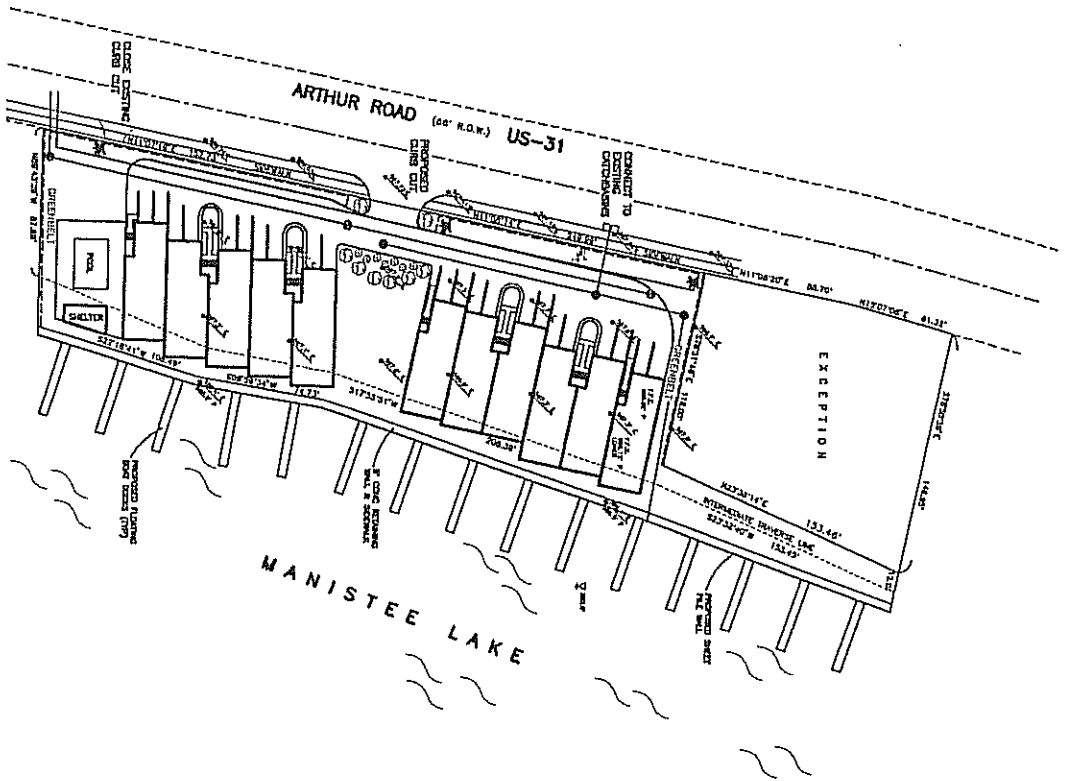
**PROPERTY OWNERS**  
 FRED WAGGONER, CAROL WAGGONER & CAROL ROSS  
 180 JENNIFER  
 MANISTEE, MI 49660

**DENSITY DETERMINATION**  
 LAND AREA: 54,500 SQ. FEET / 1.25 ACRES

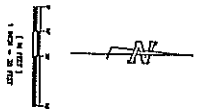
**SOILS INFORMATION**  
 PROPERTY IS "MADE LAND", CONSISTING OF BEACH SAND.

**LIVING SPACE**  
 LOWER UNITS - 1000 SQ. FEET (11 PACH)  
 UPPER UNITS - 1400 SQ. FEET (11 PACH)

- NOTES**
1. BOUNDARY AS SHOWN PER SURVEY BY JENNIFER LAND SURVEYS, JUNE 11-13-91.
  2. REMOVE ALL EXISTING BUILDINGS AND IMPROVEMENTS.



- LEGEND**
- PROPOSED UNIMPROVED
  - PROPOSED WALL
  - PROPOSED ELEVATION
  - EXISTING ELEVATION



FILE NO. 87-1  
 DATE: 8-20-91  
 DRAWN BY: [signature]  
 CHECKED BY: [signature]



## SITE PLAN REVIEW

NAME: Fred & Carol MacDonald  
Linda Boss & Dennis & Linda Dunlap  
180 Harrison Street

PROPOSED USE: Residential  
Condominiums  
ZONING DISTRICT: C-3

PARCEL CODE: 51-51-101-275-10  
45 Arthur Street

USE IS: ☐ Permitted  
☐ Special  
X Not Permitted

## BULK REGULATIONS

	REQUIRED BY ZONING	PROPOSED IN PLAN	COMPLIANCE	
			YES	NO
PARCEL SIZE:	10,000 sq. ft.	56,500 sq. ft.	X	<input type="checkbox"/>
STREET FRONTAGE:	100'	400'	X	<input type="checkbox"/>
SETBACKS				
FRONT YARD	30'	35'	X	<input type="checkbox"/>
SIDE YARD	10'	10'	X	<input type="checkbox"/>
REAR YARD	10'	10'	X	<input type="checkbox"/>
WATERFRONT	50'	10'	<input type="checkbox"/>	X
HEIGHT:	30'	35.5'	<input type="checkbox"/>	X
PARKING:	44	44	X	<input type="checkbox"/>
BUILDING AREA:	n/a	n/a	<input type="checkbox"/>	<input type="checkbox"/>

## SPECIAL DISTRICTS

	APPLIES?		APPROVED?	
	YES	NO	YES	NO
HISTORIC OVERLAY:	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
HIGH RISK EROSION:	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
FLOOD PLAIN:	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
SOIL EROSION:	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

OTHER:

REVIEWED BY:   
Jon R. Rose/Community Development Officer

DATE: August 7, 1997



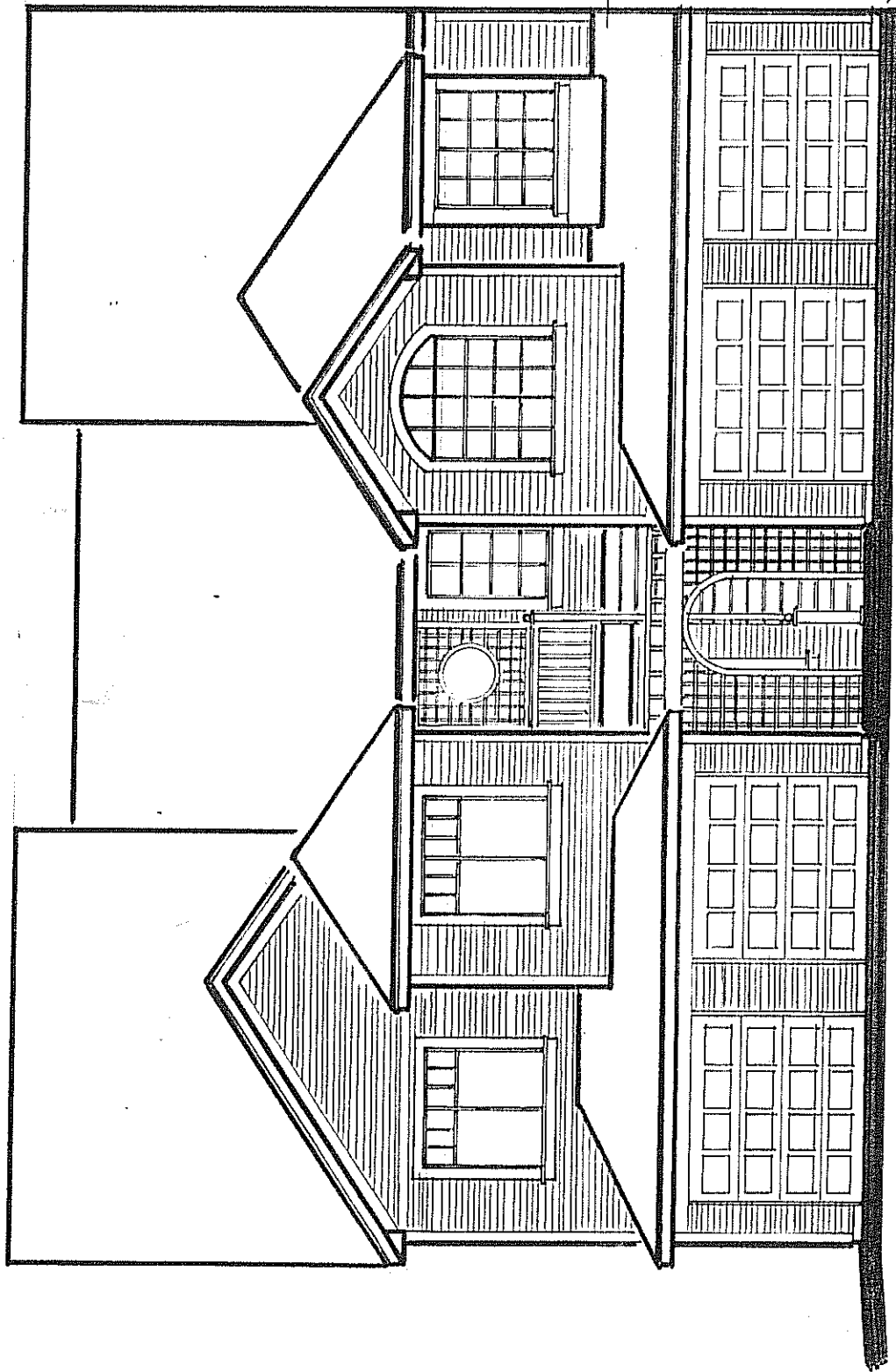
TOP OF RIDGE  
E.L. = 135'-0" (A)

TOP OF RATE  
E.L. = 119'-1 3/4"

UPPER UNIT FIN. FL.  
E.L. = 111'-1 3/4"

MAIN LEVEL FIN. FL.  
E.L. = 100'-0"

GRADE  
E.L. = 99'-6" (-)



*conceptual design*  
**ELEVATION — WEST**

SCALE: 3/16" = 1'-0"

AUG. 97 JOB NO. 9715

K. THOMPSON ARCHITECTS, P.C.

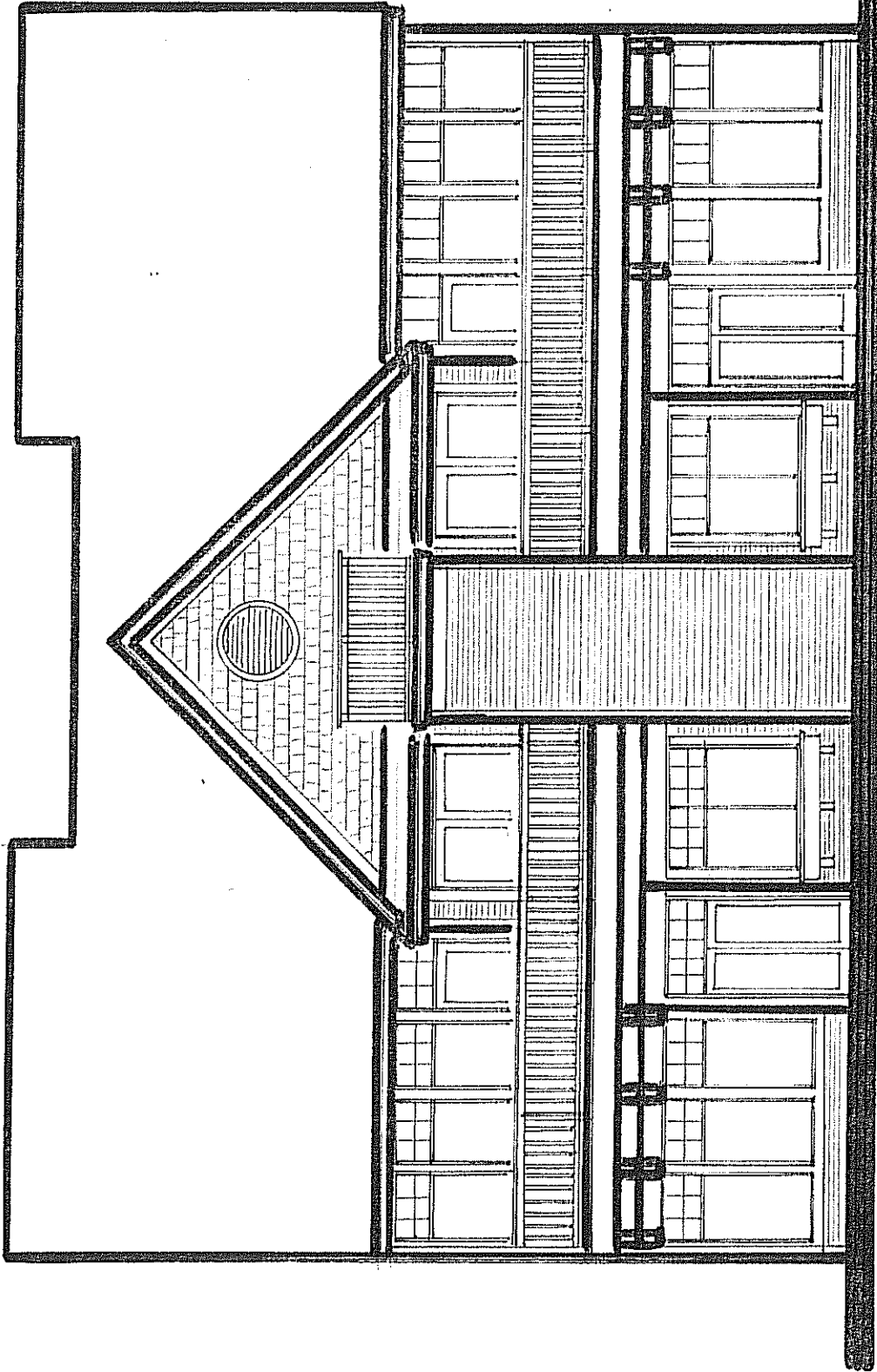


TOP OF RIDGE  
EL. = 135'-6" (2)

TOP OF PLATE  
EL. = 119'-1 3/4"

UPPER UNIT FIN. FL.  
EL. = 111'-1 3/4"

MAIN LEVEL FIN. FL.  
EL. = 100'-0"



*conceptual design* —  
**ELEVATION — EAST**

SCALE: 3/16" = 1'-0"

AUG. '97 JOB NO. 9710

K. THOMPSON ARCHITECTS, P.C.



CITY OF MANISTEE  
*Michigan*

PETITION FOR ZONING AMENDMENT

TO: MANISTEE CITY COUNCIL  
MANISTEE CITY PLANNING COMMISSION

BY: ACE HARWARE - TIM FOGARTY  
NAME OF PETITIONER  
1425 US 31 SOUTH  
ADDRESS OF PETITIONER  
MANISTEE, MI 49660  
CITY, STATE, ZIP CODE  
(H) (616) 723-9145 (W) (616) 723-9145  
TELEPHONE NUMBERS - HOME & WORK

FOR OFFICE USE ONLY	
CASE NO.	
DATE RECEIVED	7-23-97
TAX PARCEL NO.	51-51-770-704-01
FEE RECEIVED (AMOUNT & DATE)	\$200.00 7-23-97
RECEIPT NO.	11745
HEARING DATE	8-7-97
PLANNING COMMISSION ACTION AND DATE	
CITY COUNCIL ACTION	
DATE	

PLEASE NOTE: ALL QUESTIONS MUST BE ANSWERED COMPLETELY. IF ADDITIONAL SPACE IS NEEDED, NUMBER AND ATTACH ADDITIONAL SHEETS.

I. ACTION REQUESTED

I (WE), THE UNDERSIGNED TO HEREBY REQUEST THAT THE CITY OF MANISTEE APPROVE THE FOLLOWING PETITION FOR ZONING AMENDMENT:

- A. TEXT AMENDMENT: AMEND ARTICLE 48 SECTION 4802 TO (DELETE, SUPPLEMENT OR CLARIFY) THE MANISTEE CITY ZONING ORDINANCE BY MAKING THE FOLLOWING CHANGE(S):  
(ATTACH ADDITIONAL SHEETS IF NECESSARY - STATE PROPOSED ORDINANCE LANGUAGE)  
CURRENTLY THE PROPERTY IN QUESTION  
IS ZONED R-5 WHICH, UNDER ARTICLE 48, DOES NOT ALLOW FOR  
THE PROPERTY TO BE USED IN RELATION TO A RETAIL LUMBER BUSINESS:
- B. REZONE FROM R-5 TO C-1 THE PROPERTY(S) DESCRIBED IN II 'PROPERTY INFORMATION' (BELOW), FOR THE FOLLOWING PURPOSE: (STATE PROPOSED USE OF THE LAND) TO BE USED AS A RETAIL LUMBER BUSINESS FOR  
THE ADJACENT BUSINESS ACE HARDWARE, INC. THE REZONING WOULD ALLOW  
ACE HARWARE TO CONDUCT RETAIL SALES OF A LARGE VARIETY OF BUILDING  
MATERIALS ALL OF WHICH WILL BE STORED IN NEWLY CONSTRUCTED BUILDING  
TO MAINTAIN A DESIRABLE APPEARANCE.

A PREVIOUS APPLICATION FOR A VARIANCE, SPECIAL USE PERMIT OR REZONING ON THIS LAND (HAS / HAS NOT) BEEN MADE WITH RESPECT TO THESE PREMISES IN THE LAST N/A YEARS. IF A PREVIOUS APPEAL, REZONING OR SPECIAL USE PERMIT WAS MADE, STATE THE DATE, NATURE OF ACTION REQUESTED AND THE DECISION: (DATE)  
(ACTION REQUESTED)  
(DECISION) ☐ APPROVED ☐ DENIED

(CONTINUED)



II. PROPERTY INFORMATION

A. LEGAL DESCRIPTION OF PROPERTY(S) PROPOSED TO BE REZONED: COPY OF PLAT ATTACHED

TAX ROLL PARCEL DATE PROCESS NUMBER: \_\_\_\_\_

ADDRESS OF PROPERTY: LOTS 52 - 65 OF ATTACHED PLAT.

B. LIST ALL DEED RESTRICTIONS (ATTACH ADDITIONAL SHEETS IF NECESSARY) \_\_\_\_\_

C. NAMES AND ADDRESSES OF ALL OTHER PERSONS, FIRMS OR CORPORATIONS HAVING A LEGAL OR EQUITABLE INTEREST IN THE LAND.

NONE

D. THIS AREA IS ☐ UNPLATTED, ☒ PLATTED, ☐ WILL BE PLATTED.

IF PLATTED, NAME OF PLAT FIRST REITZ ADDITION

E. ATTACH A SITE PLAN DRAWN TO THE SCALE OF ONE (1) INCH EQUALS TEN (10) FEET, SHOWING ALL EXISTING STRUCTURES ON THE PROPERTY, ALL PROPOSED STRUCTURES AND MARKING THOSE STRUCTURES THAT WILL BE REMOVED OR RAZED. ALSO, THE GENERAL SHAPE, SIZE AND LOCATION OF ALL EXISTING STRUCTURES WITHIN 100 FEET OF THE PROPERTY ALONG WITH THEIR USES SHALL BE DEPICTED ON THE SITE PLAN, ALONG WITH ALL ABUTTING ROADS, STREETS, ALLEYS OR EASEMENTS.

F. PRESENT USE OF THE PROPERTY IS: VACANT

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION

A. STATE SPECIFICALLY THE REASON FOR THIS AMENDMENT REQUEST AT THIS TIME

THE AMENDMENT REQUESTED IS A CONDITION OF THE PURCHASE AGREEMENT FOR THE PROPERTY MENTIONED. ALSO A REQUEST TO VACATE PLATTED, BUT NON EXISTING, ROADS NEEDS TO BE ADDRESSED FOLLOWING THE ZONING AMENDMENT.

B. IF THE AMENDMENT IS A PROPOSED REZONING, PLEASE ANSWER THE FOLLOWING QUESTIONS:

1. WILL THIS REZONING BE IN CONFORMANCE WITH ALL ADOPTED DEVELOPMENT PLANS OF THE CITY OF MANISTEE? ☒ YES ☐ NO AND MANISTEE COUNTY? ☒ YES ☐ NO
2. IF THE PROPOSED ZONE DOES NOT CONFORM TO THE(SE) PLAN(S), WHY SHOULD THE CHANGE BE MADE? PLEASE BE SPECIFIC, BRIEF AND ATTACH ANY SUPPORTING DOCUMENTATION WHICH SUBSTANTIATES YOUR CLAIM. THIS COULD INCLUDE AN ALLEGATION THAT THE EXISTING ZONING IS IN ERROR WHICH WOULD BE CORRECTED BY THE PROPOSED CHANGE, OR THAT SPECIFIC CHANGES OR CHANGING CONDITIONS IN THE IMMEDIATE AREA MAKE THE REZONING NECESSARY TO PROMOTION OF PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

THE PROPERTY IN QUESTION IS CURRENTLY ZONED R-5, THE PROPERTY ON THE WEST SIDE (FILER CITY) IS THE LOCATION OF ACE HARDWARE AND MANY OTHER COMMERCIAL BUILDINGS THE PLACEMENT OF A LUMBER FACILITY WILL BLOCK THE UNSIGHTLY VIEW OF THE BACK OF THESE BUILDINGS.

THE LAND ON THE EAST SIDE IS A PARK ELIMINATING ANY HOMES ON THAT SIDE OF THE BUSINESS.

THE SOUTH END OF THE PROPERTY MENTIONED IS WOODED AND WOULD REMAIN THAT WAY WHERE POSSIBLE TO SEPERATE HOMES FROM THE BUSINESS

3. WHAT DO YOU ANTICIPATE THE IMPACTS OF THE PROPOSED ZONE CHANGE ON THE ADJACENT PROPERTY TO BE? WHAT STEPS DO YOU PROPOSE TO TAKE TO MITIGATE ANY NEGATIVE IMPACTS ASSOCIATED WITH THE PROPOSED CHANGE?

ANY BUILDINGS CONSTRUCTED NECESSARY

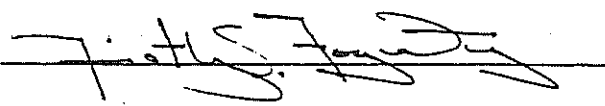


3. (CONTINUED) TO OPERATE A LUMBER BUSINESS WILL BE DONE IN A MANNER THAT COMPLIMENTS THE SURRUONDING AREA. OUR GOAL IS TO RUN A CLEAN ORGANIZED AND WELL MAINTAINED LUMBER BUSINESS. ACE HARWARE OF MANISTEE HAS ALWAYS OPERATED WITH THE IDEA THAT OUR CUSTOMERS' BEST INTEREST BE SERVED AND THAT SAME IDEA EXTENDS TO THE NEIGHBORS OF THE PROPOSED LUMBER BUSINESS. WE WOULD LIKE TO SEE A BUSINESS THAT THE WHOLE COMMUNITY IS PROUD OF.

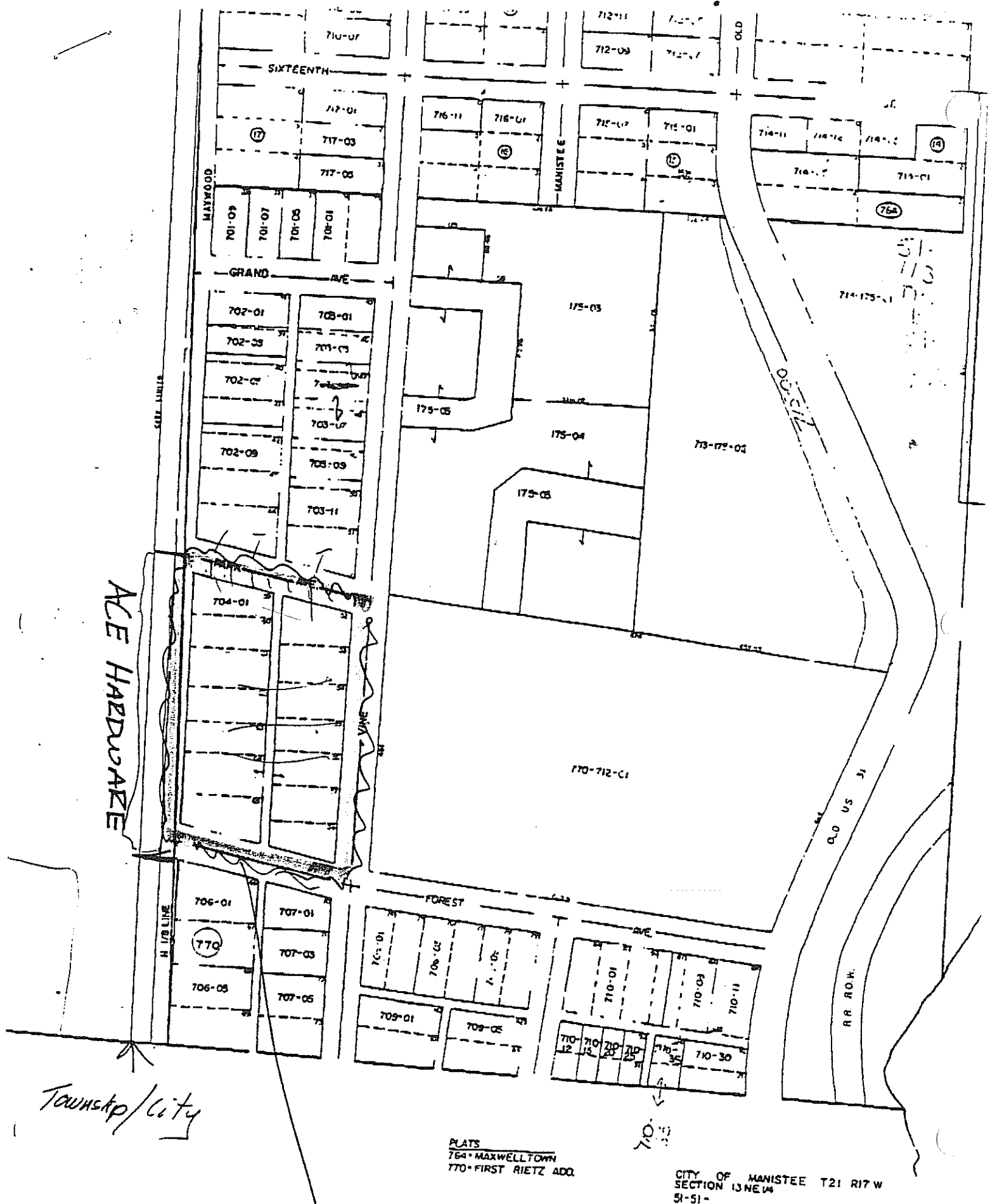
IV. AFFIDAVIT

THE UNDERSIGNED AFFIRMS THAT HE/SHE OR THEY IS (ARE) THE (OWNER, LESSEE, AUTHORIZED AGENT OF OWNER) INVOLVED IN THE PETITION AND THAT THE ANSWERS AND STATEMENTS HEREIN CONTAINED AND THE INFORMATION HEREWITH SUBMITTED ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF HIS, HER OR THEIR KNOWLEDGE AND BELIEF.

DATE JULY 20th 1997

SIGNATURE(S) 







**ACE Hardware**

1425 U.S. 31  
Manistee, Michigan 49660  
(616) 723-9145 Fax (616) 723-9201

To: Manistee City Planning Commission  
70 Maple St.  
Manistee, MI 49660

August 4, 1997

From: Ace Hardware of Manistee  
Tim Fogarty, General Mgr.  
1425 US 31 S.  
Manistee, MI 49660

ACE Hardware of Manistee would like to request the vacating of a portion of a road currently platted but not existing, the specific section requested to be vacated is as follows:

1. Maywood Would be vacated between Park and Forest.
  - a. Currently this section of Maywood divides ACE Hardware and the portion of property proposed for a lumber business Maywood is a road non existing, not only between Park and Forest, but on the other side of each road as well.
  - b. Vacating this section of Maywood would not effect the flow of traffic from any surrounding business or residents.

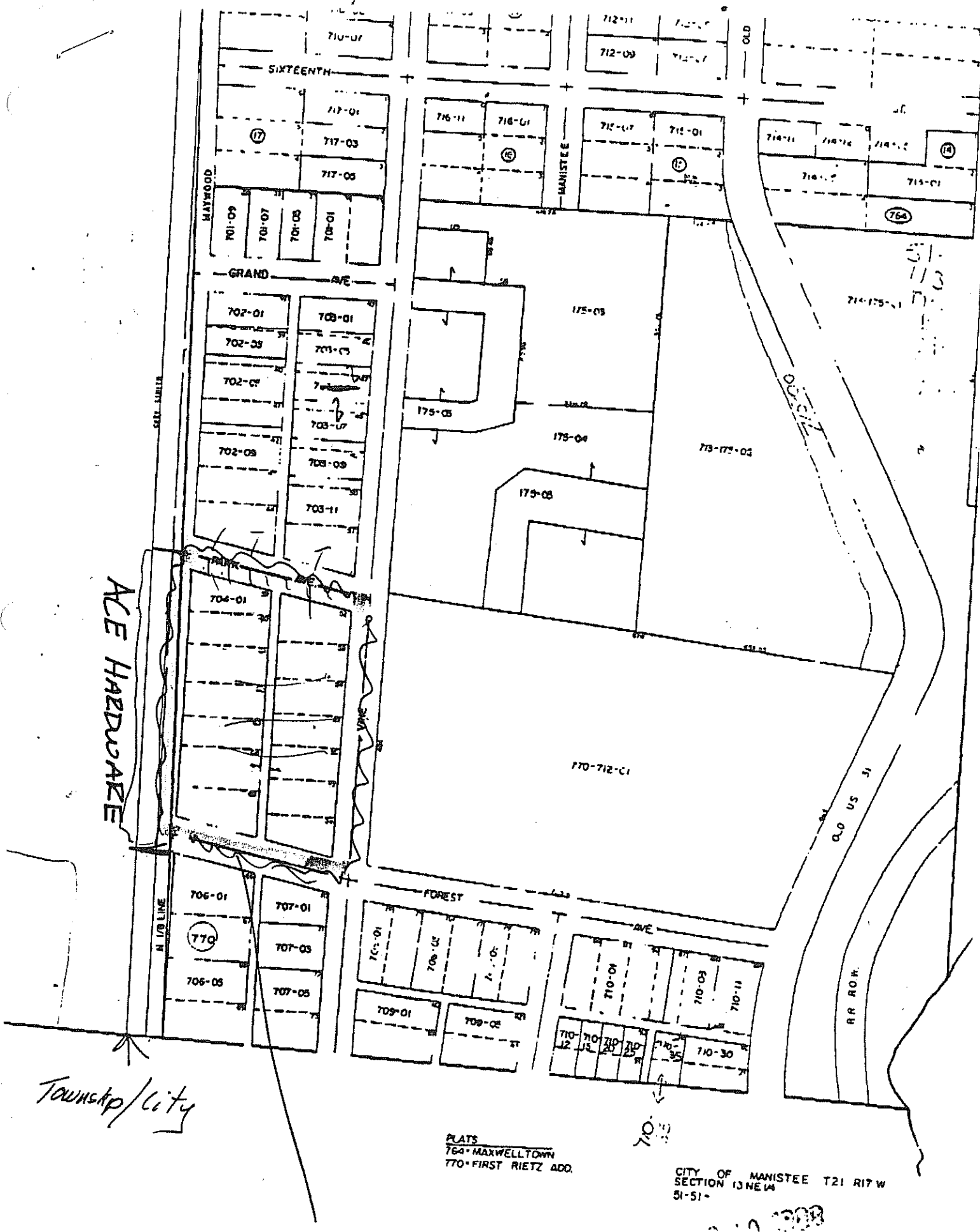
The vacating of the section of road mention is a contingency of the purchase agreement and is essential to the development of a retail lumber business. As always it is our intention at ACE Hardware to please the public and after speaking with a great number of near by residence we discovered only encouragement to pursue this project and wish that the Planning Commission continue that support.

Sincerely,



Tim Fogarty, General Mgr.







8.7.97  
AUG 01 1997

Margaret Ney-Blauwkamp  
1113 Forest Avenue  
Manistee, MI 49660

Dear Mr. Rose,

I have some real concerns about the proposed new zoning of the area behind Ace Hardware. I would like to have some thought as to the traffic flow in a residential area. There are also no sidewalks in much of this area, which creates lots of people walking on the streets. Many children from these close neighborhoods come to the Reitz Park area to play and ride their bikes.

The addition of any entrances which cause the traffic volume to increase along with such traffic as large trucks hauling lumber which would pose a real safety hazard to the children of the neighborhood. This neighborhood is steadily increasing in the number of young children that dwell here.

Please consider the access points and the traffic volume along with the fact of the park and no sidewalks in the area, before you make any decisions to rezone this residential area.

Thank you.



8.7.97

COUNCIL GOVERNMENT  
CITY MANAGER PLANP.O. BOX 358  
MANISTEE, MICHIGAN 49660

## CITY OF MANISTEE

Michigan

## APPLICATION for SPECIAL USE PERMIT

LAURA J. HORVAT  
APPLICANT  
8128 LAKE ST  
ADDRESS  
BOARDMAN MI 49614  
CITY, STATE & ZIP CODE  
TELEPHONE NUMBERS - (HOME) 616 864 3882  
(WORK) 616 398-8886

FOR OFFICE USE ONLY	
PERMIT NUMBER	
DATE RECEIVED	<u>7-25-97</u>
TAX PARCEL NUMBER	<u>51-51-174-708.01</u>
FEE RECEIVED & DATE	
RECEIPT NUMBER	<u>11751</u>
ACTION	
REFERRED TO PLANNING COMMISSION	<u>8.7.97</u>
DATE OF PUBLIC HEARING	<u>8.7.97</u>
ACTION TAKEN	<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED
DATE OF ACTION	
EXPIRATION DATE OF PERMIT	

PLEASE NOTE: ALL QUESTIONS MUST BE ANSWERED COMPLETELY. IF ADDITIONAL SPACE IS NEEDED, NUMBER AND ATTACH ADDITIONAL SHEETS. ALL INFORMATION REQUESTED ON THIS FORM MUST BE COMPLETED AND ANY ADDITIONAL INFORMATION REQUIRED BY THE ZONING ADMINISTRATOR, CITY ENGINEER OR CITY PLANNING COMMISSION, IN ORDER TO ADMINISTER THE ZONING & BUILDING ORDINANCES, MUST BE SUPPLIED. APPLICANTS ARE ENCOURAGED TO SEEK ASSISTANCE FROM THE ZONING ADMINISTRATOR/BUILDING INSPECTOR IN FILLING OUT THIS FORM. IF POSSIBLE, PLEASE CALL 616-723-2558 (MONDAY THROUGH FRIDAY, FROM 8 A.M. TO 5 P.M.) AND ASK FOR THE ASSESSOR'S OFFICE TO MAKE AN APPOINTMENT TO AVOID DELAYS.

## I. ACTION REQUESTED

IT IS HEREBY REQUESTED THAT THE MANISTEE CITY PLANNING COMMISSION APPROVE THE ISSUANCE OF A SPECIAL USE PERMIT ON THE PROPERTY DESCRIBED IN II. PROPERTY INFORMATION (BELOW) WHICH IS LOCATED IN THE C-1 ZONING DISTRICT, FOR THE PURPOSE OF: (STATE PROPOSED USE OF PROPERTY) Bill Board to be rented

A PREVIOUS APPLICATION FOR A VARIANCE, SPECIAL USE PERMIT OR REZONING ON THIS LAND (HAS / HAS NOT) BEEN MADE WITH RESPECT TO THESE PREMISES IN THE LAST \_\_\_\_\_ YEARS. IF A PREVIOUS APPEAL, REZONING, OR SPECIAL USE PERMIT APPLICATION HAS BEEN MADE, STATE THE DATE, NATURE OF ACTION REQUESTED AND THE DECISION: \_\_\_\_\_, DATE \_\_\_\_\_, ACTION REQUESTED \_\_\_\_\_  
DECISION: ☐ APPROVED ☐ DENIED

## II. PROPERTY INFORMATION

A. LEGAL DESCRIPTION OF PROPERTY AFFECTED: see attached

TAX ROLL PARCEL PROCESS NUMBER 51-51-174-708.01  
ADDRESS OF PROPERTY: 220 Bethan

(CONTINUED)

APPLICATION for SPECIAL USE PERMIT



II. PROPERTY INFORMATION (CONTINUED)

B. LIST ALL DEED RESTRICTIONS- CITE LIBER & PAGE WHERE FOUND & ATTACH:

C. NAMES & ADDRESSES OF ALL OTHER PERSONS, FIRMS OR CORPORATIONS HAVING A LEGAL OR EQUITABLE INTEREST IN THE LAND:

ROBERT F HORVAT  
Laura J HORVAT

D. THIS AREA IS ☐ UNPLATTED, ☒ PLATTED, ☐ WILL BE PLATTED  
IF PLATTED, NAME OF PLAT \_\_\_\_\_

E. THE PRESENT USE OF THE PROPERTY IS \_\_\_\_\_

F. ATTACH A SITE PLAN WHICH MEETS THE REQUIREMENTS OF THE SPECIAL USE PERMIT ORDINANCE (SEE ATTACHED LIST OF REQUIREMENTS)

G. IS A PROPERTY SURVEY ATTACHED? ☐ YES ☐ NO

H. ESTIMATED COMPLETION DATE OF CONSTRUCTION (IF APPLICABLE): \_\_\_\_\_

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION

A. STATE SPECIFICALLY THE REASON FOR THIS SPECIAL USE PERMIT REQUEST AT THIS TIME

Bill Board to be rented

B. STATEMENT OF SUPPORT FOR THE REQUEST. PLEASE JUSTIFY YOUR REQUEST FOR A SPECIAL USE PERMIT BELOW. THE JUSTIFICATION SHOULD ADDRESS THE FOLLOWING CONCERNS:  
(ATTACH ADDITIONAL SHEETS)

1. THE RELATIONSHIP OF THE SPECIAL USE PERMIT CONDITIONS (ARTICLE 86, SECTION 8609) TO THE PARTICULAR SPECIAL USE PROPOSED. DO THEY POSE ANY UNUSUAL PROBLEMS FOR COMPLIANCE?
2. RELATIONSHIP OF THE PROPOSED USE TO DEVELOPMENT PLANS OF MANISTEE COUNTY AND THE CITY OF MANISTEE.
3. IMPACTS OF THE ADJACENT PROPERTY AND NEIGHBORHOOD. IN PARTICULAR, FIRST INDICATE WHICH IMPACTS OF THE PROPOSED USE ON THE ADJACENT PROPERTY ARE ANTICIPATED AND SECOND, WHAT STEPS WILL BE TAKEN TO MITIGATE ANY NEGATIVE IMPACTS. CONSIDER THE FOLLOWING CONCERNS:

A. WILL THE PROPOSED USE ADVERSELY AFFECT THE HEALTH, SAFETY OR ENJOYMENT OF PROPERTY OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD?

B. WILL PROPOSED USE BE DETRIMENTAL TO THE PUBLIC WELFARE OR INJURIOUS TO PROPERTY OF IMPROVEMENTS IN THE NEIGHBORHOOD?

IV. INFORMATION REQUIRED IN APPLICATION (AS PER ARTICLE 86, SECTION 8604)

A. AN APPLICATION FOR SPECIAL USE PERMIT SHALL INCLUDE:

1. A DETAILED SITE PLAN, AS SPELLED OUT IN SECTION 9406 OF THIS ORDINANCE, A COPY OF WHICH IS ATTACHED.
2. A SPECIFIC STATEMENT AND SUPPORTING INFORMATION REGARDING THE REQUIRED FINDINGS FOR THE SPECIAL USE PERMIT, AS STATED IN SECTION 8609.
3. PROPOSED LOCATION OF ANY OPEN SPACES, LANDSCAPING AND BUFFERING FEATURES SUCH AS GREENBELTS, FENCES, ETC.



IV. INFORMATION REQUIRED IN APPLICATION (CONTINUED)

- B. IN ADDITION, THE APPLICANT MAY BE REQUIRED TO FURNISH:
1. ELEVATIONS ON ALL BUILDINGS, INCLUDING ACCESSORY BUILDINGS.
  2. AN ENVIRONMENTAL ASSESSMENT.
  3. EVIDENCE OF HAVING RECEIVED OR HAVING AN AGREEMENT FOR CONCURRENT APPROVAL FOR ANY OTHER NECESSARY PERMITS REQUIRED PRIOR TO A CONSTRUCTION CODE PERMIT.
  4. MEASURES WHICH WILL BE UNDERTAKEN TO CONTROL SOIL EROSION, SHORELINE PROTECTION, EXCESSIVE NOISE, OR ADVERSE IMPACTS OF THE DEVELOPMENT ON THE SURROUNDING PROPERTIES.
- C. THE APPLICANT SHALL CERTIFY THE INFORMATION INCLUDED IS CORRECT AND THAT MEASURES PROPOSED TO MITIGATE ADVERSE IMPACTS WILL BE COMPLETED IN A TIMELY FASHION, IF THE SPECIAL USE PERMIT IS APPROVED.

V. CERTIFICATION AND AFFIDAVIT

THE UNDERSIGNED AFFIRMS THAT HE/SHE/THEY IS/ARE THE ☐ OWNER, ☐ LESSEE, ☐ OWNER'S REPRESENTATIVE, ☐ CONTRACTOR INVOLVED IN THE APPLICATION; AND THAT THE INFORMATION INCLUDED IN THIS APPLICATION IS CORRECT. FURTHER, IF THE REQUEST IS APPROVED, THE APPLICANT CERTIFIES THAT MEASURES PROPOSED TO MITIGATE ADVERSE IMPACTS WILL BE COMPLETED IN A TIMELY FASHION AND WILL ABIDE WITH THE ALL OF THE REQUIREMENTS OF ARTICLE 86 OF THE CITY OF MANISTEE ZONING ORDINANCE.

SIGNATURE(S) OF APPLICANT(S)

Laura J. Horne

DATED

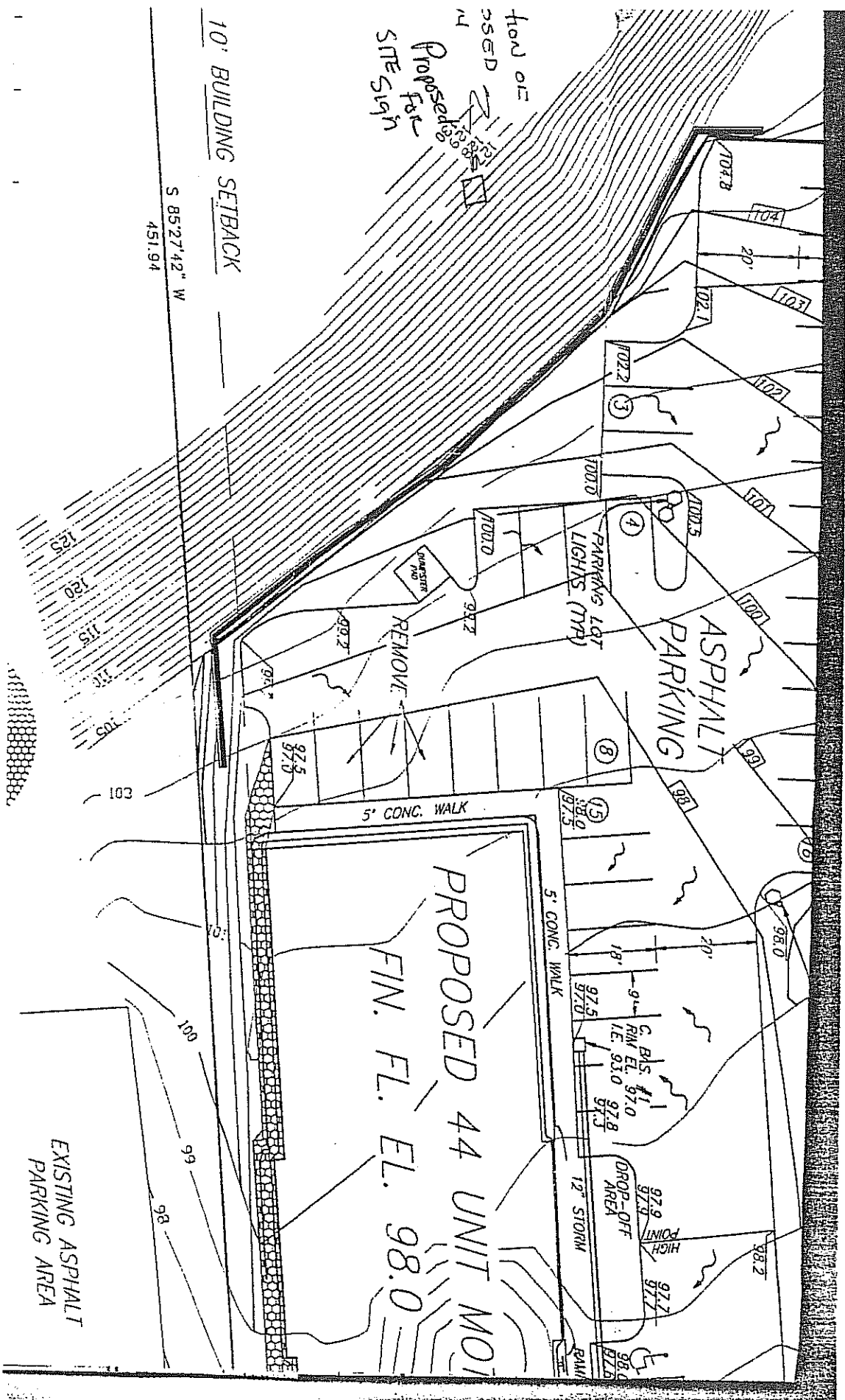
7-25-97



Part of Lot H of S.C. Thompson's Addition to the City of Manistee, bounded as follows:  
Commencing at the Northeast corner of said Lot H, running thence South 6°22' East  
along the East line of said Lot 110 feet; thence South 85° West, 452 feet; thence North  
54° ¾' West 165 feet, to the right-of-way of the Pere Marquette Railroad; thence  
Northeasterly along said right-of-way to the Northwest corner of said Lot H; thence  
South 83° 05' East along the North line of said Lot to place of beginning.

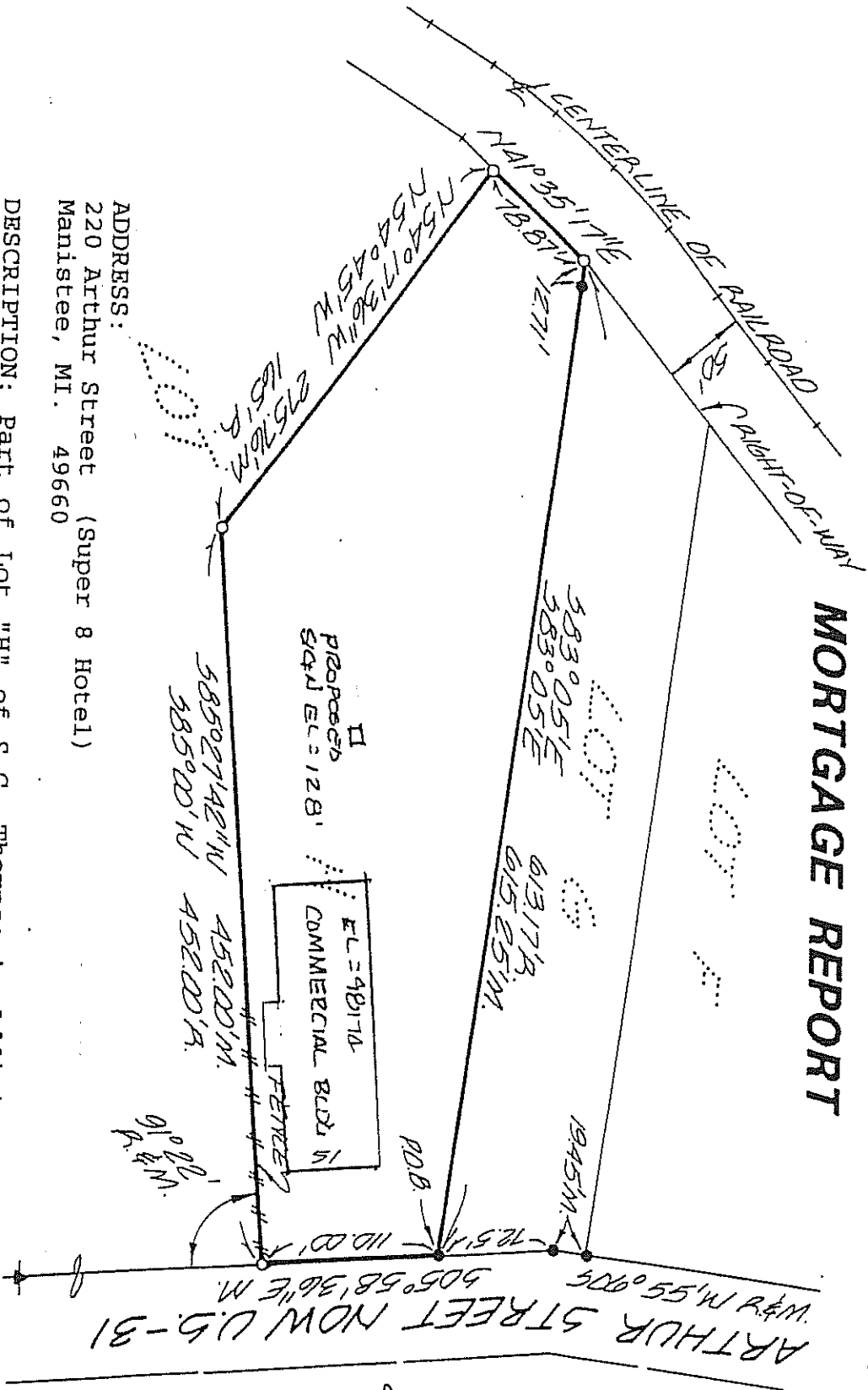
SUBJECT any easements and restrictions of record.







# MORTGAGE REPORT



ADDRESS:  
220 Arthur Street (Super 8 Hotel)  
Manistee, MI. 49660

DESCRIPTION: Part of Lot "H" of S.C. Thompson's Addition to the City of Manistee, Manistee County, Michigan. Bounded as follow: Commencing at the Northeast corner of said Lot "H", running thence  $S 06^{\circ} 22' E$  along the East line of said Lot 110 ft., thence  $S 85^{\circ} W$  452 ft., thence  $N 54^{\circ} 3/4' W$  165 ft. to the right-of-way of the Pere Marquette Railroad, thence Northeastly along said right-of-way to the Northwest corner of said Lot "H", thence  $S 83^{\circ} 05' E$  along the North line of said Lot to the place of beginning.

N FND ☒ MONUMENT FND.  
N SET ☒ MONUMENT SET  
FND. (R) RECORD  
SET (M) MEASURED

SCALE  
1" = 100'

Jenema Land Surveys  
50 Clay Street  
Manistee, MI 49660  
616-723-7930  
Fax 616-723-5761

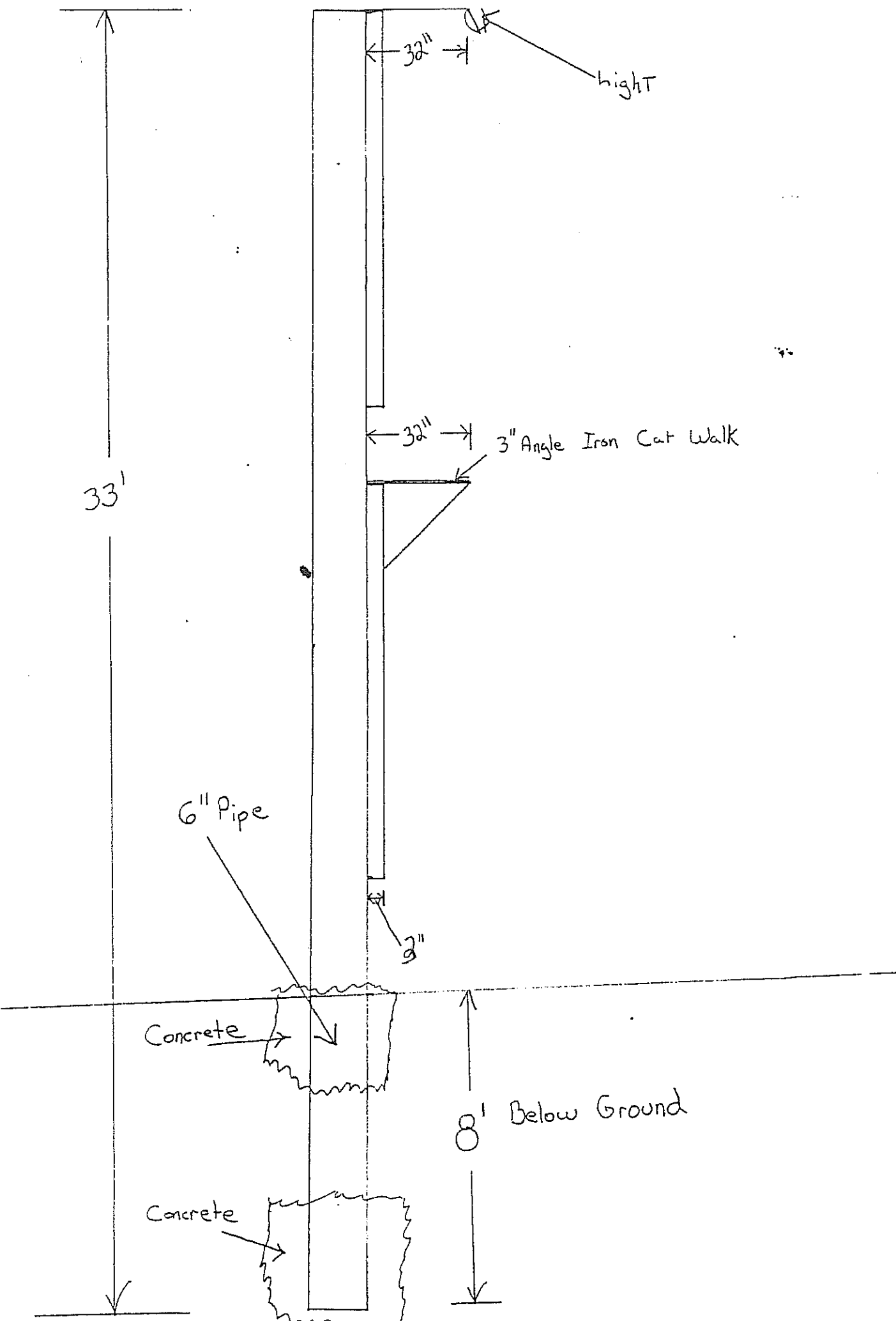
I hereby certify that I have inspected the property hereon described; that there are improvements located as shown; that said improvements are within property lines; and that there are no visible encroachments upon the land and property described, unless otherwise noted. All utilities and easements may / or may not be shown.

This inspection is for mortgage purposes only.

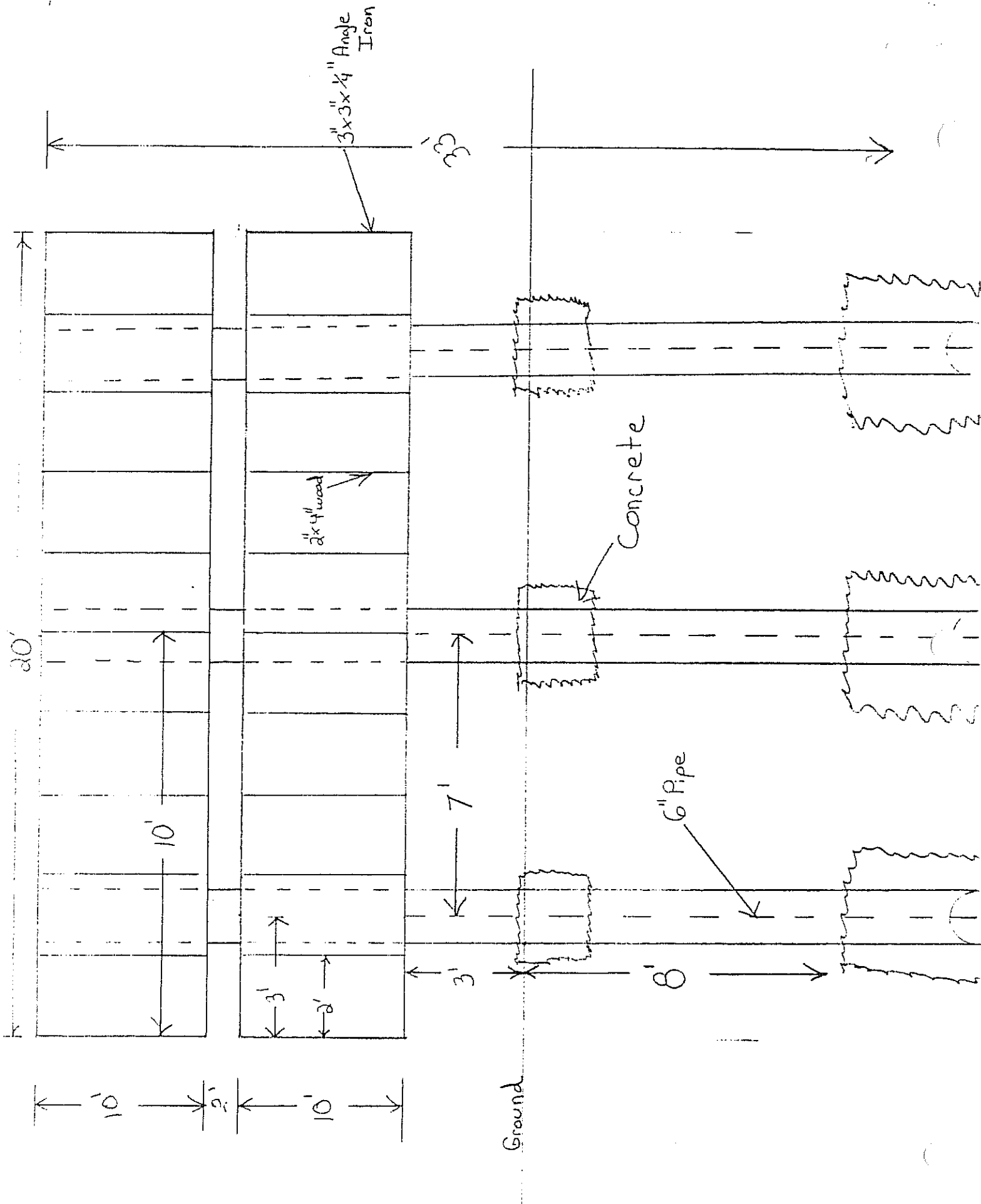
R.L.S. No. 25850

FOR: Bob & J  
DATE: Feb. 28, 19  
Northwe











## SITE PLAN REVIEW

NAME: Oak Grove International  
290 Washington Street

PROPOSED USE: Factory  
ZONING DISTRICT: I-1

PARCEL CODE: 51-51-155-014-00

USE IS: ☒ Permitted  
☐ Special  
☐ Not Permitted

## BULK REGULATIONS

	REQUIRED BY ZONING	PROPOSED IN PLAN	COMPLIANCE	
			YES	NO
PARCEL SIZE:	12,000 sq. ft.	151,200 sq. ft.	X	<input type="checkbox"/>
STREET FRONTAGE:	120'	355'	X	<input type="checkbox"/>
SETBACKS				
FRONT YARD	25'	72'	X	<input type="checkbox"/>
SIDE YARD	10'	100'	X	<input type="checkbox"/>
REAR YARD	10'	160'	X	<input type="checkbox"/>
WATERFRONT	n/a	n/a	X	<input type="checkbox"/>
HEIGHT:	30'	<30'	X	<input type="checkbox"/>
PARKING:	n/a	n/a	X	<input type="checkbox"/>
BUILDING AREA:	4,000 sq. ft.	30,000 sq. ft.	X	<input type="checkbox"/>

## SPECIAL DISTRICTS

	APPLIES?		APPROVED?	
	YES	NO	YES	NO
HISTORIC OVERLAY:	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
HIGH RISK EROSION:	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
FLOOD PLAIN:	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
SOIL EROSION:	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

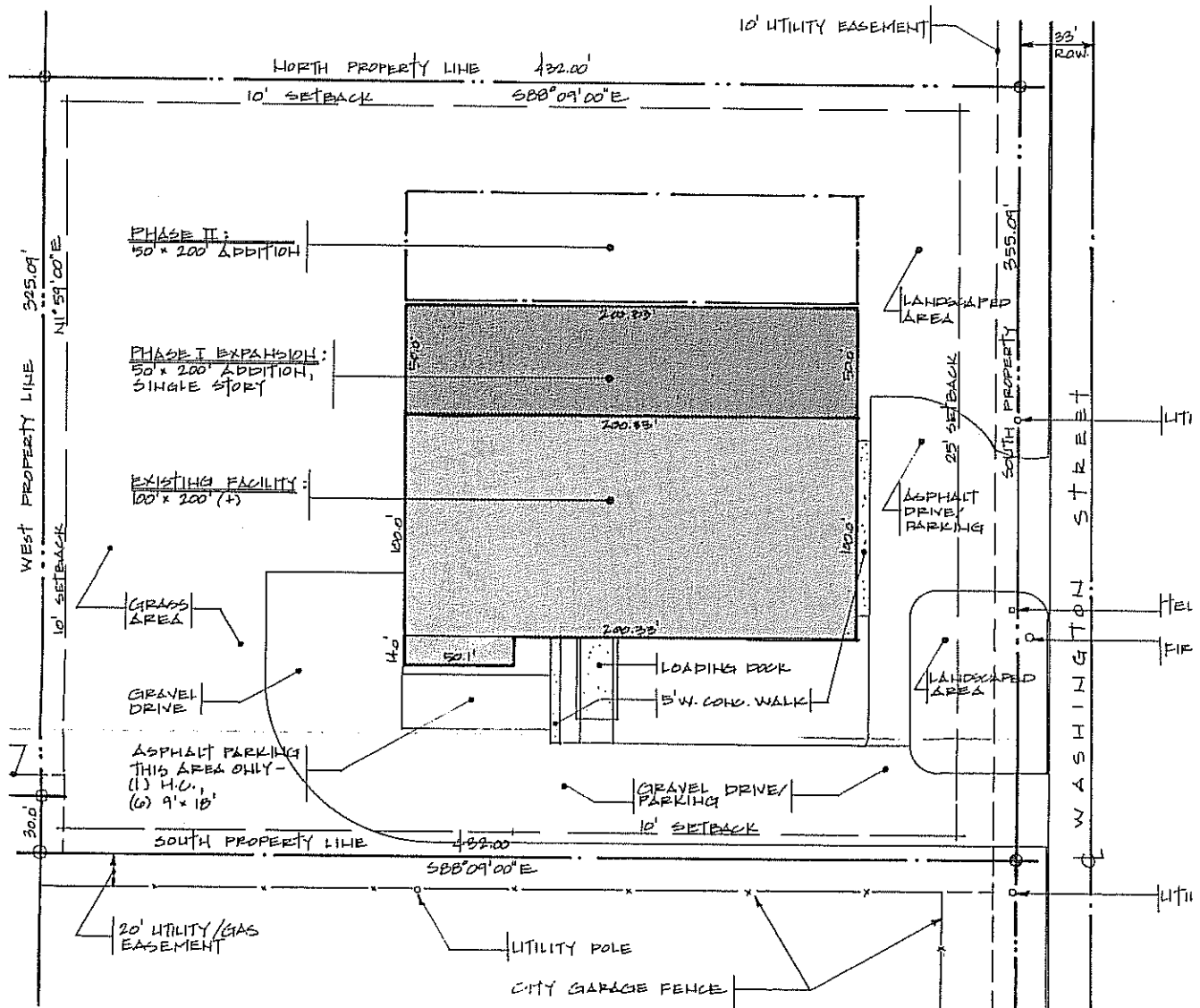
OTHER:

REVIEWED BY:

  
Jon R. Rose/Community Development Officer

DATE: August 6, 1997





# SITE PLAN

SCALE: 1" = 50'-0"

Oak Grove International Inc.



8-7-97

Dear Planning Commission Members,

I, Gary and Marilyn Schrader, would like to request that a split be made of our residential plot. Our lot is located on the city's northside, part of the SE  $\frac{1}{4}$  Sec. 2, T21N, R17W.

Please see attached survey.

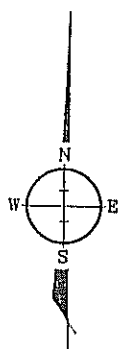
Thank you.

Marilyn Schrader  
Gary Schrader

51.51-202.450.01



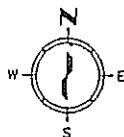
PART OF THE SE1/4 SEC. 2, T21N, R17W,  
UNPLATTED CITY OF MANISTEE,  
MANISTEE CO, MICHIGAN.



● IRON FND	⊗ MONUMENT FND.
○ IRON SET	⊕ MONUMENT SET
▲ P.K. FND.	(R) RECORD
△ P.K. SET	(M) MEASURED

Error of Closure is 1'

R.L.S. No. 25850



82 Division Street  
Manistee, MI 49660  
616-723-7930  
FAX 616-723-5761

GARY SCHRADER

SHEET 1 OF 2

FILE NO. 94365





# LYMAN REAL ESTATE

238 Parkdale Ave.  
Manistee, MI 49660

Office: 616-723-9095 Fax: 616-723-3503

AUG 07 1997



August 6, 1997

Planning Commission

re; Parcel Split ( tax number only)

Commission Members,

A buyer has an accepted offer on Lots 5 & 6 of Lakeview Subdivision across from the Golf Course on 12th. Street. It is the intent to begin building a home in 1998 if all goes well.

It is the desire on his part to issue a tax ID # for each lot rather than both lots appearing on the same tax number.

Please take this under consideration and hopefully issue a separate number to the lot of your choice.

The buyer is:

Michael & Deborah Majchrzak  
574 Milmor Dr.  
St. Charles MO 63304

Lots # 5 & 6 now appear on number 51-51-363-701-11

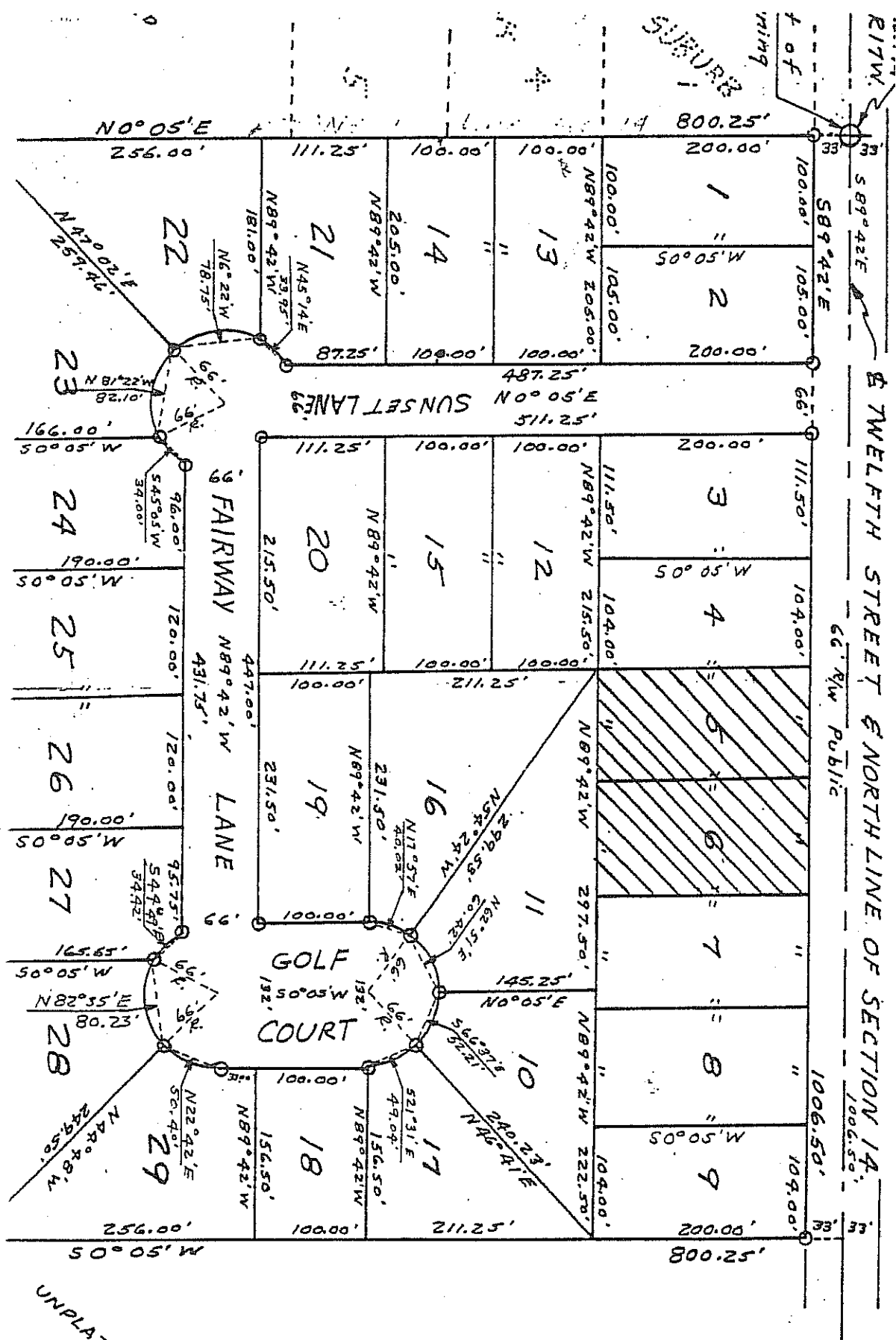
Submitted by David L. Carlson  
Acting as listing and selling agent.

Seller:  
Russell & Ruth Claggett  
8080 East Bay Ct.  
Traverse City MI 49684

*David L. Carlson*









# Manistee to sign off on its future

■ Some want to cap size of future signs, but some businesses don't agree with movement

By RICH WERTZ

Record-Eagle staff writer

**MANISTEE** — Like his father before him, Tom Amor is a signmaker. So he paid attention when the city began drafting an ordinance to regulate signs.

"The town is really starting to come to life, I think, and you can't not have a plan," he said.

"Even worse would be to have a plan that isn't workable so everyone would have to appeal every time they put up a sign."

Amor, owner of Amor Sign Studios, has been meeting with a committee of local government officials and other business owners to help draft Manistee's sign ordinance.

Just as other communities have done or are doing, Manistee is trying to place some controls on the size and proliferation of commercial signs and billboards. Business owners, particularly retail business owners, tend to resist such efforts.

"There's a lot of people downtown who are upset," said

Sandy Bottrell, co-owner of Cornerstone Antiques in downtown Manistee. "It will slow us down and cost us money."

She said merchants in downtown Manistee have enough business expertise and common sense to regulate themselves without government intrusion.

Others in the business community, including the Manistee Area Chamber and the Downtown Development Authority, have endorsed the ordinance. City Manager Ben Biloss said the involvement of business interests in drafting the ordinance could mean it will be adopted, possibly in August.

Previous attempts over the last 30 years have all faded away before an ordinance was adopted, he said.

Amor occupies a kind of middle ground between advocates for sign regulation and business people like Bottrell who want nothing to do with it. He has concerns about the ordinance, but he also believes it's possible to strike a balance.

"I think they are being realistic about the business's needs," said Amor, whose company designed the signs for the Grand Traverse Mall and the Blarney Castle gas station chain.

Sign ordinances tend to be complicated documents outlining

different rules for different zoning districts and types of signs. One way of comparing ordinances of various communities is to compare the maximum allowable size of a free-standing sign in a commercial zone.

Manistee's proposed ordinance sets the limit at 50 square feet — a number likely to be debated in the next several weeks. Amor, for instance,

wants to replace an absolute cap on the size with a sliding regulation based on the size of the lot so that larger lots could have larger signs.

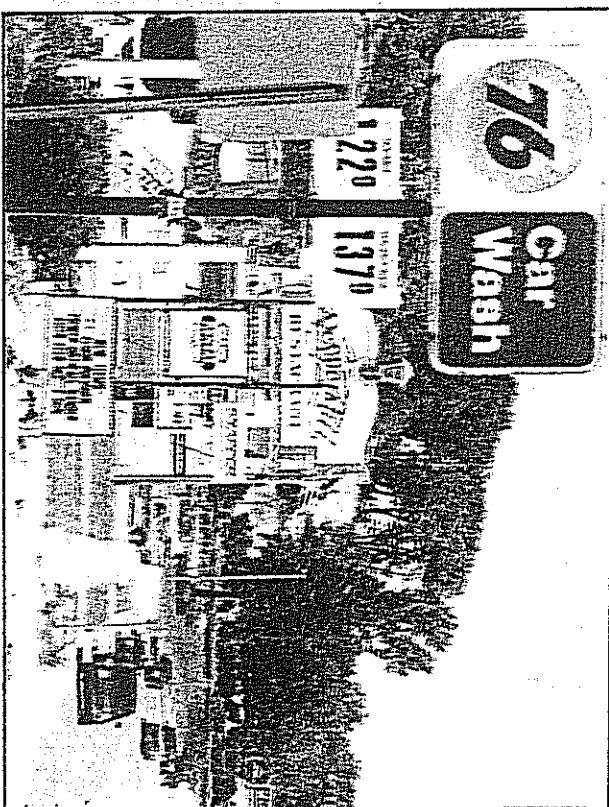
"I think it should be a formula, not a number," he said.

Other communities in the region have stricter ordinances. As proposed for Manistee, Acme Township and Elmwood Township, both neighbors to Traverse City, limit commercial signs to 32 square feet.

Charlevoix's limit is even more stringent at 16 square feet.

Traverse City's limit is currently 150 square feet, but it also is working on a new sign ordinance. Early drafts placed the commercial sign limit at 40 square feet to 80 square feet depending on lot size — the same limit already in place in Garfield Township.

One draft of Traverse City's ordinance would have required existing signs to be brought into



Signs of various sizes crowd the edge of US-31 on the north end of Manistee.

Record-Eagle/Kelvin Vandervort

compliance with the new rules within five years — a provision the Traverse City Area Chamber of Commerce is vigorously resisting.

Zoning Administrator Kirk Harrington said the issue is far from settled as the ordinance has yet to go through a public hearing process.

"It might turn out to be something neither the city commission nor the chamber recognize," he said.

Manistee's proposed ordinance would offer existing signs "grandfather clause" protec-

tion. That is, existing signs would be allowed to remain as long as the business remained in place, although they could not be replaced if significantly damaged by fire or other accident.

Relatively few signs in Manistee would not comply with the ordinance, said city Community Development Officer Jon Rose. The ordinance is intended to control future signs, not outlaw existing signs, he said.

"The intent is not to change the look of the city but to preserve it," he said.